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Representing the Juvenile Delinquent: Reform, Social Science, and Teenage Troubles in Postwar Texas

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Representing the Juvenile Delinquent: Reform, Social Science, and Teenage Troubles in Postwar Texas

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Representing the Juvenile Delinquent: Reform, Social Science, and Teenage Troubles in Postwar Texas

by

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Dedication

For Mary and Alexander

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Representing the Juvenile Delinquent: Reform, Social Science, and Teenage Troubles in Postwar Texas

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Using a range of archival, oral, and textual sources, this dissertation explores the history of how American "common sense" has conferred adolescent status selectively since World War II, when the teenager first emerged as a widely accepted cultural idea. It focuses especially on the prominent role of scientific experts in popularizing causes and solutions for teenage troubles, many of which continue to shape popular understanding. As historians have demonstrated, sociologists and psychologists achieved unprecedented prominence in the 1950s, often by publishing influential studies of "maladjusted" teenagers, alienated families, and "delinquent subcultures." The dissertation illustrates the interplay of these dominant national narratives with local and regional reform efforts that have gone largely ignored by scholars. Not only were public debates over "youth troubles" more fierce at the local level, they sometimes wielded a surprising

influence over state and national policymakers always eager to find models for new policies. Texas presents an especially representative setting for my study. Situated in the heart of the Sun Belt and "borderlands" regions, Texas' growing political and economic clout, and racial and ethnic diversity, caused national observers to pay heed to homespun interpretations of juvenile delinquency. The state attracted top experts from the fields of sociology, psychology, and social work, who built up nationally and internationally known academic programs, research foundations, settlement house agencies, and juvenile justice institutions. Texas experts functioned as public intellectuals, circulating a series of narratives and images purporting to explain delinquency. Throughout the postwar era, they engaged multiple publics in discussions of troubled teenagers that prefigured today's debates over the treatment of violent juvenile offenders and the disproportionate numbers of black and Latino youth in trouble. I demonstrate that research on adolescence and delinquency often sparked larger national arguments about race, poverty, family, and community. The dissertation's close studies of big-city community youth programs, juvenile justice institutions, and grassroots activism on behalf of incarcerated juveniles seek to relocate teenagers from the periphery to the center of major trends in twentieth century American history.

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In the spring and summer of 2002, people from Alaska to Australia became aware that the state of Texas was in the process of executing three young black men barely out of their teens. Citizens of nations that had abolished capital punishment, as well as many Americans, winced at these latest additions to the state's already record-setting number of executions. The subject of the death penalty provokes strong emotions, always on display in the hours surrounding an execution. Each time, reporters descend upon the Huntsville State Prison in southeast Texas, hoping to document yet another drama of "closure" and protest. Anti-death penalty activists hold candlelight vigils, reciting for anyone who will listen a litany of well-known facts about assembly-line trials and racial inequities. But the executions that took place in the summer of 2002 occasioned a very different debate, because the convicts in question were all not only black but also juvenile offenders; each had received a death sentence at the age of seventeen. "Teenagers are redeemable and able to be rehabilitated," protested one editorialist, because of "social and physiological differences between adolescents and adults."[1] This statement referred to the latest research on brain development in adolescents, in which scientists using Magnetic Resonance Imaging (MRI) have discovered significant cell activity in the "teenage brain" in the areas thought to govern rationality, long-term planning, resistance to the influence of others, and

[1] Alberta Phillips, "We Must Draw the Line at Executing Juvenile Offenders," *Austin American-Statesman*, September 1, 2002, p.H3.

awareness of consequences, which may help explain troubling teenage behaviors.[2] Was it logical, let alone moral, to subject "kids who kill" to the most irreversible adult punishment? Had these teenagers forfeited social protections built up over a hundred years in American justice, as well as American culture?[3]

These questions troubled few Texans when Napoleon Beazley, T.J. Jones, and Toronto Patterson committed their crimes. It was the mid-1990s, and the national television and print media were awash in gory anecdotes of "thrill kills," drive-by shootings, and carjackings.[4] Locally and nationally, the juvenile justice system became perceived as a "recycling bin" for a more violent generation of youth.[5] Even more worrisome, well-known criminologists such as James Q. Wilson and John J. DiIulio warned of a coming wave of "super-predators." The combination of an impending demographic bulge in the adolescent age cohort with a youth culture suffering from what DiIulio called "moral poverty" added up to serious social disorder in the immediate future.[6] Feeding this perception was a series of controversies over hip hop culture, which produced Congressional hearings denouncing "gangsta rap" music and films charged with glamorizing

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[2] Jay Giedd, a neuroscientist at the National Institute for Mental Health, has demonstrated for the first time the existence of major growth and change in the adolescent brain. For a brief summary, see Giedd et al., "Brain Development During Childhood and Adolescence: A Longitudinal Study," *Nature Neuroscience* (Oct 1999), 861-864. Giedd and several other scientists appeared in the documentary film "Inside the Teenage Brain," which aired on the PBS *Frontline* series in 2002.

[3] For the latest in a series of articles to pose such questions, see Elizabeth S. Scott and Laurence Steinberg, "Blaming Youth," *Texas Law Review* 81:3 (Feb 2003), 799-841.

[4] "Wild in the Streets," *Newsweek*, August 2, 1993 (cover story).

[5] Penelope Lemov, "The Assault on Juvenile Justice," *Congressional Quarterly Governing Magazine* 8:3 (Dec 1994), 26.

[6] John J. DiIulio, Jr., "The Coming of the Super-Predators," *The Weekly Standard* (Nov 27, 1995), 23.

violence.[7] What was to be done? In a characteristic appearance before the Senate Judiciary Committee, DiIulio recounted his search for answers with "lifers" – prisoners who were serving life sentences. "[T]hese hardened men," he noted, "did not voice the conventional explanations such as economic poverty or joblessness;" instead, they cited the lack of "family, adults, teachers, preachers, coaches."[8] This "role model" theory, which focused on individual adult-child relationships, co-existed with and fed into the more widespread response of punishing adolescents as adults. Both "solutions" blissfully ignored the intense social and economic pressures that could and often did undermine potential role models, even as they portrayed contradictory images of the juvenile delinquent as both a rudderless adolescent and an incipient adult.

DiIulio's proclamations came against the backdrop of the 1994 mid-term Congressional elections. The notion of "moral poverty," rather than actual poverty, proved attractive to neoconservative politicians, who ran "law and order" campaigns across the nation promising "adult time for adult crime." Tough on crime slogans helped Republicans win control of both houses of Congress, and spawned competition between the two major political parties. Eager to prove that they too could punish "super-predators," Democrats increasingly embraced the rhetoric and policy proposals of their opponents. President Bill Clinton promoted and eventually signed a crime bill that included over one billion dollars for

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[7] George Lipsitz, "The Hip Hop Hearings: Censorship, Social Memory, and Intergenerational Tensions Among African Americans," Joe Austin and Michael Nevin Willard eds., *Generations of Youth: Youth Cultures and History in Twentieth Century America* (New York: NYU Press, 1998), 395-411. See also Henry A. Giroux, *Fugitive Cultures: Race, Violence, and Youth* (New York: Routledge, 1996).

[8] "Fill Churches, Not Jails: Youth Crime and Superpredators," Prepared Statement of John J. DiIulio, Jr. Before the Senate Judiciary Committee, February 28, 1996. (Federal News Service)

juvenile boot camps, a form of "shock incarceration" glamorized on daytime talk shows where harried parents called upon Army drill sergeants to rein in their "out of control teens."[9] In Texas, juvenile crime became the central issue during one of the most-watched elections of 1994-95, which pitted Democratic Governor Ann Richards against Republican challenger George W. Bush. In his first campaign speech, Bush followed his announcement of candidacy with a declaration that violent teenagers formed the "most important problem in the state." One of his first television commercials featured an image of a gun followed by Bush declaring that sentencing juveniles as adults represented "Texas values" of "personal responsibility."[10] Echoing talk-show remedies, he proposed "tough love academies" run "not by some idealistic twenty-two year old teacher just out of teacher's college but maybe a sergeant out of the Marine Corps."[11] In calling for the transformation of a large, cutting-edge substance abuse center into a locked facility for juveniles, Bush insisted "we ought to forget about rehabilitation and worry about incarceration."[12] These promises helped Bush win a narrow election, one that eventually catapulted him to the presidency of the United States. During a 1999 youth conference, as Bush prepared for his presidential run, he reflected on his earlier crusade against juvenile crime. Juvenile boot camps, more waivers to adult court, and tougher mandatory minimum sentences, all had helped lower the juvenile crime rate, in his view. But the combined effect of these procedural

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[9] Peter Katel, "The Bust in Boot Camps," *Newsweek*, Febuary 21,1994, p.26.
[10] Ronald Brownstein, "Call To Bring Back Orphanages is Bid to Ease Kid Crime," *Los Angeles Times*, Oct 16, 1994.
[11] "Bush Campaign's First Pitch," *Austin American-Statesman*, November 9, 1993.
[12] David Eliot, "Emphasis on Rehabilitation Puts State on Cutting Edge of Corrections Theory," *Austin American-Statesman*, Jan 16, 1994.

and policy changes was more important. Bush's juvenile justice reforms represented the centerpiece of his larger agenda to promote what he called "a cultural shift" from post-Sixties self-indulgence and immorality toward "the responsibility era."[13]

In April 1995, in the midst of public furor over juvenile crime, a Texas jury was sentencing Napoleon Beazley to death for capital murder. Seven years later, as the appeals process wound down and Beazley's execution became imminent, people began having second thoughts. In the national media, as well as the highest levels of government, an often emotional debate erupted around whether Beazley "deserved" the death penalty. His biography became the subject of profiles in glossy magazines and television specials. Straddling the categories of adolescent and delinquent, teenager and "super-predator," Beazley's story exemplifies the contested meanings of the juvenile delinquent in our current moment. Despite a century of "scientific" study and social progress, we are no closer to certainty in understanding the causes or appropriate responses to troubling teenage behaviors than our Progressive forbears. Social science has generated a set of narratives and images for public consumption intended to clarify a range of behaviors usually lumped into the category "juvenile delinquency," but they have created as many problems as they have attempted to solve. Despite the universality implied by the developmental and biological models of adolescence, the topic of delinquency has produced a sharply divided set of discourses rather than a single, unified, or linear field of social thought.

[13] Ken Herman, "Bush Pushes 'Personal Responsibility' Message in Conference on Youth," *Austin American-Statesman*, March 31, 1999, p.B1.

More often, we have portrayed and treated working-class white, black, and Latino adolescents as incipient adult criminals, tacitly conferring "teenage" status upon the sons and daughters of the middle and upper classes. Napoleon Beazley's crime forced an uncomfortable collision of these separate and unequal discursive worlds.

At a glance, Beazley might have appeared to be another statistic in the ledger of crimes committed by "super-predators." He was, after all, an African American teenager from a poor neighborhood who had murdered in the course of a random carjacking. By 2002, however, a growing number of observers peeled away these superficial layers to discover a complex and disturbing story. Beazley had lived a generally exemplary life until the day of his crime. In fact, his had been the kind of success story routinely celebrated by white Americans eager to put racial inequality behind them. Beazley hailed from Grapeland, Texas, a small town in East Texas where the races lived separately and mingled infrequently. He lived in a two-parent, middle-class household. As his parents had overcome economic discrimination, Beazley would achieve a first in the history of interpersonal relationships between blacks and whites. According to a lengthy profile in *Texas Monthly*, Beazley was "the first black kid ever to be accepted by whites" and "a bright teenager with a loose-limbed confidence and a dazzling smile." An honors student, star athlete, and president of his senior class, Beazley dreamed of attending Stanford Law School.[14]

[14] Pamela Colloff, "Does Napoleon Beazley Deserve to Die?" *Texas Monthly* (April 2002).

His many successes, however, came at a price: Beazley was resented and ostracized by his peers in "the Quarters," the historically black neighborhood where he had grown up. He later complained of experiencing worse racial taunts from "other black kids" than whites. Soon he fell in with an older cousin, a mid-level drug dealer who commanded respect on the streets of the Quarters. Beazley began to lead a double life, selling and using drugs by night while winning school accolades by day. After several months of this charade, on a fateful night in April 1994, Beazley and two accomplices committed a carjacking. They followed an older white couple in a Mercedes to their garage, where the runner-up for "Mr. Grapeland High" shot an unarmed husband and father in cold blood, and in so doing threw away his promising future.[15]

The crime stirred unusual racial passions. Beazley's victim, John Luttig, was not only a prominent white citizen but also the father of a Republican federal judge. Surprisingly, though, several influential whites called for clemency in Beazley's case, including his former high school teachers, the prosecutor from his home county, and the judge who had presided over his trial. As Beazley's execution loomed in early 2002, Texas Governor Rick Perry fielded requests for clemency from Amnesty International and South African Archbishop Desmond Tutu. The story made news across the globe, whereas the other two executions scheduled for that summer did not. Much of the discussion centered on Beazley's adolescent status. Even at age seventeen, claimed his defenders, he had been impressionable, confused, and emotional. This argument departed from almost all

[15] *Ibid*.

other portrayals of Beazley as unusually mature, self-assured, and rational, suggesting that his upstanding past had exonerated him from being placed in the category of remorseless "super-predator." Beazley's public statements after his arrest unintentionally garnered him further sympathy. Beazley openly admitted his guilt and showed unswerving remorse for his crime. He derided all attempts to explain his crime by way of his age or his race: "I was old enough to know what I was doing," he insisted. "Any explanation I tried to give would sound like an excuse, and there's no excuse for what I've done."[16] Beazley maintained this position until his final statement, given the day before his death by lethal injection, in which he lamented his "senseless" and "heinous" crime.[17]

The media narrative of Beazley's rise and fall cast his as a "normal" coming of age that had been defeated by his desire for authentic "blackness." Given the public hype about "super-predators," it was all too easy for white audiences to blame "deviant" African American youth culture. Moreover, the conflicted response to Beazley exhibited the lack of clarity about who qualified as either an adolescent or an adult. Contemporary American culture less often accords "teenage" status to adolescents of working-class or nonwhite background, creating a set of assumptions that even shape the way individual working-class white, black or Latino adults respond to children in their care. A recent ethnographic study of an integrated junior high school in California, Ann Arnett

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[16] The above quotes come from the transcript of "CNN Presents," Saturday, May 25, 2002. A Lexis-Nexis search for "Napoleon Beazley" yielded hundreds of articles from newspapers all over the world, as well as transcripts from national television programs. Similar searches for "Toronto Patterson" and "T.J. Jones" brought only a dozen or so hits from Texas newspapers.

[17] Coloff, "Does Napoleon Beazley," *Texas Monthly*; Bob Ray Sanders, "Condemned Man's Own Words Best Condemn Capital Punishment," *Fort Worth Star-Telegram*, June 8, 2002.

Ferguson's *Bad Boys: Public Schools in the Making of Black Masculinity* (2002), brings this point home with devastating clarity. Time and time again, Ferguson describes teachers and school officials who are quicker to punish black students than white ones, and to subject them to longer and more severe forms of punishment. Indeed, the school maintains a "punishing room" where black students sit for hours in enforced silence for even the most minor of transgressions. She argues that black children are less often seen *as* children, citing adult conversations about them that take on "a sinister, intentional, fully conscious tone that is stripped of any element of childish naivete."[18] In Ferguson's view, the school has "adultified" its black pupils, tracking them not into a vocational occupation, as educational reformers have charged for generations, but toward the routines of another institution – the prison.

Civil libertarians and children's advocates tend to view this brand of "adultification" as a relatively new phenomenon. They complain that we have abandoned the ideals embodied in institutions created a century ago, such as the modern age-graded school, the juvenile court, and the child guidance clinic, each of which sought to treat children and adolescents according to their specific level of emotional and intellectual maturity. But we have never truly embraced such distinctions, at least not in our institutions that deal with troubled and troubling young people. Recent historians have demonstrated that the spread of juvenile courts in the first decades of the twentieth century, for example, did not hinder

[18] Ann Arnett Ferguson, *Bad Boys: Public Schools in the Making of Black Masculinity* (Ann Arbor: University of Michigan Press, 2000), 83.

authorities from trying adolescents as adults for a number of offenses.[19] As this dissertation shows, even within institutions and programs designed to offer age-specific "treatment" to teenagers in trouble, "adultification" proceeded unchecked through much of the post-World War II era, affecting disproportionate numbers of working-class whites, African Americans, and Latinos. Moreover, this process seeped into social thought and policy on delinquent youth, creating a self-perpetuating cycle that helped to inoculate "adultifying" institutions from critical scrutiny until recent decades. Rather than search out the historical moment when Americans gave up on the idea of a separate adolescence, this dissertation examines how we have cordoned off certain social groups from the protections and privileges of being young, confused, immature, and impressionable.

Battles over who qualified as an adolescent or "teenager" rocked the state of Texas in the postwar era. They involved scientific experts, elected officials, children's advocates, social reformers, concerned parents, and sometimes young "delinquents" themselves. Among these groups were transplanted Northerners and native-born Texans; racial liberals and social conservatives; reformers and defenders of the status quo. In a public sphere increasingly shaped by media technology and mass communication, these actors participated in a series of debates that decided how the state should respond to – and therefore define - the growing problem of juvenile delinquency. Ultimately, juvenile courts and training schools won out over community-based programs such as children's clinics, recreation centers, settlement houses, and vocational programs, each of which was

[19] David S. Tanenhaus, "The Evolution of Transfer Out of the Juvenile Court," Jeffrey Fagan and Franklin E. Zimring, eds., *The Changing Borders of Juvenile Justice: Transfer of Adolescents to the Criminal Court* (Chicago: University of Chicago Press, 2000), 13-43.

forced to rely largely upon private funding for survival. This outcome, which took place over several decades, reflected the success of juvenile justice advocates in convincing Texans that they alone could ensure public safety from delinquents while also offering therapeutic "rehabilitation" – a combination that community-based competitors could not match. Texas juvenile justice after World War II thus embodied what historian David Rothman has called "conscience and convenience;" it took the children of "undesirable" populations off the streets while purporting to make them into good American citizens.

At the center of these unfolding struggles was the endeavor of "representing" the juvenile delinquent to specific audiences as well as a wider public. Well-meaning adults spoke for young people in a variety of ways. They argued for social reforms and policies assumed to be "in the best interest of the child;" created narratives for film, television, radio, and print; and carefully chose the words of actual delinquents to lend authenticity to favored positions. The dominant image of the juvenile delinquent was thus the product of a multi-layered process of mediation that was firmly in the hands of adults: scientific experts, professional reformers, and elected officials. Even audiences, whose own expectations and prejudices undoubtedly gave form to their interpretations of delinquency, participated in this process. Meanwhile, young people themselves wielded comparatively little power over their own portrayals even as representation departed starkly from reality. By the 1950s, the typical juvenile delinquent in Texas was a working-class teenage boy from an urban area, most likely black or Latino. It seems hardly a coincidence that this changing

demography of delinquency occurred as Americans embraced psychological over environmental explanations for why adolescents "went wrong," which helped downplay meaningful discussions of the range of social inequalities that most delinquents grew up with. Representations of the juvenile delinquent steadfastly portrayed white, middle-class "teenagers" suffering from emotional disorders rooted in the self or the family.

The changing meaning of delinquency in Texas reflected larger currents in American thought and culture. However, it also set the stage for today's uncertainty about adolescent status. Decades before the emergence of the so-called "super-predator," Texas experts drew discursive boundaries between troubled adolescents and adult-like delinquents. Modern and "scientific" though they may be, childhood and adolescence have never been settled concepts, and so have contributed to historical confusion over the definitions of delinquency, all of which are explored in Chapter One. This bibliographic essay describes the emergence of the cultural ideas of child, adolescent, delinquent, and teenager, each of which has preoccupied social scientists, and later, historians. In our postmodern society, coming of age is organized in specific tiers by a myriad of experts. Educators long ago devised grade levels; psychologists, inspired by such pioneers as Jean Piaget and Erik Erikson, chart developmental stages; and advertisers concoct sophisticated marketing campaigns targeting children, pre-teens, "tweenagers," high school students, and college-age young adults. Nearly erased from our collective memory is a time when we viewed children as "little

adults" rather than developmentally unique beings, and lumped the age range from early childhood to young adulthood into the all-purpose category of "youth."

Chapter Two explores the persistence of this understanding of "youth" alongside the emerging notion of adolescence as a special time of "storm and stress." It focuses on a national "youth crisis" during the Great Depression, and follows a group of scientific experts from the offices of New Deal think tanks and agencies to the relative backwaters of the University of Texas at Austin on the eve of World War II. Children and youth were symbolic figures in an emerging national movement for mental health services, led in Texas by the Hogg Foundation for Mental Health. Led by Northern social scientists who had pioneered the study of black adolescents, the Hogg Foundation popularized the idea of mental health in Texas, trained a generation of professionals, and sponsored research on white, black, and Latino youth. The chapter tracks the replacement of sociopolitical explanations for delinquency with psychological and "cultural" ones. Where once social psychologists inveighed against racial inequality for wreaking emotional harm upon black youth, psychiatry-oriented experts by the 1950s focused instead upon the "deviant subculture" and the "culture of poverty" as generators of delinquency.

The testing grounds for such theories were the streets and neighborhoods of big cities, where the vast majority of juvenile delinquents could be found. Nowhere was this more apparent than in Houston, the state's fastest growing city and single largest source of inmates in the Texas juvenile training schools. Chapter Three explores various responses to "youth problems" in Houston,

focusing on the Houston settlement house movement. In the 1950s and 60s, the Houston Settlement Association gained national and international recognition for its work with troubled youth in working-class white and Latino neighborhoods. In Chapter Three, I examine the representations of juvenile delinquency that emanated from settlement house advocacy, as well as its successor, Houston Action for Youth, a 1960s' "community action" project. While the settlements tended to offer sympathetic views of Latino teenagers, the academic experts who ran HAY launched a media campaign that utterly misrepresented the typical juvenile delinquent as extremely wealthy or poor and suffering from bad parenting.

While significant, these community-based responses to youth troubles paled in breadth and depth to the expanding system of juvenile justice. Chapter Four describes how Hogg-trained experts founded the Texas Youth Council in 1949. This state agency, one of the first of its kind in the nation, had an ambitious mission. Its architects hoped to expand community-based prevention programs, standardize juvenile court procedures, and reform prison-like training schools into therapeutic centers of rehabilitation. Although the Youth Council became a trusted source of information on the causes and cures of delinquency, it received little financial support from state policymakers. Longtime director James Turman, a clinical psychiatrist, transformed the Youth Council's mandate from rehabilitation to incarceration. By the mid-1960s, the Youth Council's responsibility centered almost exclusively on large custodial institutions for delinquent youth, a choice that led to the agency's fall into disgrace by 1970.

Chapter Five examines *Morales v. Turman* (1974), a major civil rights lawsuit that was the culmination of local and national media exposes of the Texas training schools. Largely on the strength of teenage testimony, the case revealed widespread abuses of juvenile inmates starkly at odds with the ideal of rehabilitation. A lightning rod for an emerging social movement for children's rights, *Morales v. Turman* defined juvenile "rehabilitation" as the nurturing of a "healthy" adolescent identity. It mandated that institutions for delinquents recognize adolescents as adolescents, and extend the discursive privileges of the "teenager" to even the most downtrodden outsiders in society. The case resulted in the closing of the state's largest and most notorious training schools, the resignation of top Youth Council officials, and the release of hundreds of juvenile delinquents.

By the time the Youth Council settled the case, in 1988, a pendulum shift had begun to take place. Once again, the nation was gripped by panic over teenage behavior. Unlike the recent past, however, the juvenile justice system proved unable to offer reassurances. Decades of scandals had nurtured the perception that juvenile courts were ineffective guardians of public safety, and that juvenile training schools were stepping stones to prison. States began revising their sentencing guidelines, making it easier to charge juveniles as adults for a variety of violent and drug-related crimes. Figuratively and literally "adultified," juvenile offenders seemed to have come full circle since World War II. Once again, adolescent or adult status closely reflected race, class, and urban or rural

location. The early 1970s appeared as an oasis of treatment in a historical desert of adult-like punishment.

But the legacy of the children's rights movement persists in unlikely places. I met with officials in the Travis County (Austin) Juvenile Court and Juvenile Detention Center, and observed practices in those facilities, all of which are described in Chapter Six. Juvenile judges, probation officers, attorneys, social workers, and other staff workers who spend their days with young people in trouble clearly grapple with the range of issues surrounding juvenile justice today.

It is clear that "adultification" has formed a central dividing line in the cultural history of American teenagers that is just beginning to be understood by scholars. Too often, we have celebrated the twentieth-century idea of the "teenager" solely as a harbinger of social progress. The history of American youth sometimes has read like a tale of gradual and inevitable liberation from the hoary strictures of Victorian schoolmarms, self-appointed protectors of children, and blue-nosed censors of popular culture. Young people today accept this fallacy as fact; in my class on the "Cultural History of American Teenagers," students initially view their nineteenth-century forbears as victims of history, unlucky enough to be born into a society too primitive to comprehend their latent wants and needs. Endowed with transcendent qualities, the "teenager" has papered over historically unequal coming of age experiences that have persisted despite innovations designed to protect what were once called "wayward youth": the child guidance clinic, the recreation center, the juvenile court, and the juvenile training school. Today's "superpredator" is, in many respects, a descendant of the

"teen-age terrorist" who stalked the pages of newspapers in the 1950s, the "jack-roller" who preoccupied interwar sociologists, and the "dangerous classes" that plagued nineteenth century New York City. Today, Americans rush like they have not in over a century to imbue adolescent misbehavior with adult intent. As the historian Joan Jacobs Brumberg observes: "Our children not only dress like adults and know what we know about sex and human brutality, they are being punished like adults, especially when they are poor and black."[20] My goal here is to illustrate how we got so inured to these habits of mind and practice. We must move beyond the tired categories and debates with which we apprehend youth problems, and stop seeing "other people's children" as irredeemable monsters.

[20] Joan Jacobs Brumberg, *Kansas Charley: The Story of a Nineteenth Century Boy Murderer* (New York: Penguin Books, 2003), 245. For an equally measured appraisal of the pitfalls of adolescent liberation, see her earlier work, esp. *The Body Project: An Intimate History of American Girls* (New York: Random House, 1997).

Chapter 1: *The Hidden Adolescent: Representing Youth in American Cultural History*

Any treatment of adolescents as if they were adults, whether in the criminal justice system or elsewhere, marks a significant historical reversal. According to a range of scholars, the last century and a half has witnessed an increasingly clear separation of childhood, adolescence, and adulthood in both the United States and Western Europe. The earliest histories of youth highlighted what Joseph Kett has called a shift from "independence" to "semi-dependence" on adults, which occurred gradually and unevenly over several generations.[21] Historians generally agree on the series of events that have shaped modern ideas about childhood and adolescence but disagree about the sequence of cause and effect. Did lived experiences give rise to cultural ideas, or did emerging theories of child nurture and psychological stages of development shape everyday practices of childrearing? Such questions provide an entry point into the crucial discourses and practices that have framed categories of "normal" and "delinquent" youth. They also force an examination of how scholars from a variety of academic disciplines have depicted young people over the past century. Although a constant presence in American society, children and adolescents

[21] Joseph F. Kett, *Rites of Passage: Adolescence in America, 1790 to the Present* (New York: Colophon Books, 1977), 14. The book widely viewed as the first on the history of childhood is Philippe Aries, *Centuries of Childhood: A Social History of Family Life* (New York: Alfred A. Knopf, 1962).

present the historian with unique methodological problems, which I address in this chapter's conclusion.

Today's stereotypical expectations of adolescence did not exist in the early years of the American republic. At the dawn of the nineteenth century, when the United States was still a largely agrarian society, children proceeded on a path to adulthood that was less routinely conflict-ridden than in our own time. According to historians of early America, coming of age was not without difficulties that we would recognize as adolescent "storm and stress:" religious conversion, courtship and marriage, or parent-child conflicts over family property.[22] It is even possible to detect hints of adolescent rebellion in the famous tales of American icons. At the age of seventeen, Benjamin Franklin fled to Philadelphia, in defiance of his father and older brother. In his autobiography, the adolescent Franklin's "saucy and provoking" mannerisms and writings smack ever so slightly of youthful nonconformity, even though such behaviors were hardly normative expectations. Still, when Franklin credits his brother's "harsh and tyrannical treatment" of him with instilling an "aversion to arbitrary power that has stuck to me my whole life," he seems to be not only interpreting his youth in the light of the American Revolution but also offering a somewhat familiar portrait of restless adolescence.[23] Examples of such extreme rebellions were most likely aberrations in an overall pattern of gradual assumption of expected adult roles in

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[22] John Demos, *A Little Commonwealth: Family Life in Plymouth Colony* (New York: Oxford University Press, 1970), 145-170; see also Demos, "The Rise and Fall of Adolescence," *Past, Present, and Personal: The Family and the Life Course in American History* (New York: Oxford University Press, 1986), 92-113.

[23] Benjamin Franklin, *The Autobiography and Other Writings* (New York: Penguin Books, 1961), 33.

environments that presented few choices to young people. At the same time, it is important to note that historians often have based such claims on fragmentary evidence. Few children possessed the means or the abilities to leave behind extensive written records of their experiences; by and large, institutions centered on young people existed on a haphazard basis through much of the nineteenth century.[24]

In fact, current historical knowledge about children and adolescents seems to have grown proportionate to the gradual "discovery" of childhood and adolescence in the past. The spread of advice literature to the emerging middle-class has provided scholars with a window into changing ideas about childrearing. A "nurturing" model of parenting, characterized by "sparing the rod" in favor of instilling a sense of guilt into a wayward child, reflected a growing recognition of the unique needs of children.[25] It also reflected emerging demographic realities; families headed by a male breadwinner relied less on their children to help support the household economy, and so began to limit childbirth. Moreover, the years of schooling became extended as parents sought to position their children to compete for the new plethora of professional occupations that emerged alongside industrialization.[26]

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[24] For a thoughtful discussion of these issues, see Pamela Riney-Kehrberg, "Growing Up in Kansas," *Kansas History: A Journal of the Great Plains* 26 (Spring 2003), 50-65.

[25] Mary P. Ryan, *Cradle of the Middle Class: The Family in Oneida County, New York, 1790-1865* (New York: Cambridge University Press, 1981).

[26] On the transformation of loosely construed artisans and merchants into a self-conscious middle-class, see Stuart M. Blumin, *The Emergence of the Middle Class: Social Experience in the American City, 1760-1900* (New York: Cambridge University Press, 1989). The idea that "emotional" childrearing is in some way connected to lowered middle-class birth rates has occasioned extensive debate among scholars. It was first suggested in Aries, *Centuries of Childhood*. John Demos describes a "hothouse family" characterized by intense mother-child relationships. See Demos, "Oedipus and America," Joel Pfister and Nancy Schnog eds., *Inventing*

However, the vast majority of nineteenth century children experienced few of these changes. Family farms continued to rely on their offspring for seasonal work; migrant families provided too unsettled a life for regular school attendance; and working-class immigrant families often depended on their children's wages to make ends meet in industrial cities. That these practices persisted alongside new ideals of childhood difference – usually characterized as innocence, vulnerability, and impressionability – suggests the reasons for the "child saving" reform movements that swept the nation with growing force toward the end of the century. In large cities, the disjunction between the lived experiences of working-class families and new concepts of child nurture and childhood development appeared in stark relief at the settlement houses. Immigrant families often sought to keep their children in school even when their wages would have helped support the household; Jane Addams, who witnessed these daily sacrifices, marveled at the "wonderful devotion to the child... in the midst of our stupid social and industrial arrangements."[27] Parents who worked long hours, however, left their children vulnerable to the many dangers and lures of the streets. At settlements such as Chicago's Hull-House and New York's Henry Street Settlement, recreational activities attempted to fill the void. Their experiences turned

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the Psychological: Toward a Cultural History of Emotional Life in America (New Haven: Yale University Press, 1997), 63-78. The connection was politicized by Cold War era social scientists, who theorized a "demographic transition" between "backward" societies with high fertility and mortality rates, and "modern" nation-states with nuclear families and longer life expectancies. For an overview, see Simon Szreter, "The Idea of Demographic Transition and the Study of Fertility Change: A Critical Intellectual History," *Population and Development Review* 19:4 (Dec 1991), 659-693. See also Steven Ruggles, "The Transformation of American Family Structure," *American Historical Review* (Feb 1994), 103-128.

[27] Jane Addams, *The Spirit of Youth and the City Streets* (New York: The Macmillan Co., 1909), 33.

settlement workers, most of whom came from middle- or upper-class backgrounds, into leading agitators for protective legislation for children. Campaigns to raise the age of consent, abolish child labor, curb child abuse, and compel school attendance expressed fears that the lures of the industrial city were ruining children primarily by forcing them into adult situations prematurely.[28]

Even as the distinction between childhood and adulthood was becoming clearer, a generation of scientific experts and social reformers were defining another developmental stage in the life course – adolescence. The arena for this "discovery" was the juvenile court, an institution that came to embody the ideals of the Progressive child savers. It offered a solution to the social problem of juvenile delinquency that was at once orderly, scientific, and compassionate. In its earliest incarnations, in Chicago (1899) and Denver (1901), the juvenile court heard cases that included not only violations of criminal law, but also "status" offenses such as "sexual delinquency," truancy, and "incorrigibility" – a nebulous term referring to all manner of disobedient behaviors. Reformers viewed the court as a much-needed remedy of previous practices, in which youthful offenders were subjected to trials in adult courts as well as incarceration with hardened criminals in county jails and state prisons. The juvenile court operated under a unique set of rules revolving around the idea of diagnosing and treating young people on an individual basis. Instead of attorneys questioning witnesses before a jury for the purpose of proving a crime, juvenile judges talked directly to children in court about the reasons for his or her actions. Social workers produced "life histories"

[28] For a discussion of the "child-centeredness" of Progressive reform, see David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (Boston: Little, Brown, & Co., 1980), 205-209.

that assisted the judge in the disposition of cases; ideally, wayward youth could be kept with their families rather than sent away to a juvenile training school. The idea was so popular that within twenty-five years, all but two states had established some form of a juvenile court. Perhaps no other institution besides the modern high school did more to solidify the distinction between adolescence and adulthood.[29]

In Chicago, the juvenile court became an object of study for the first generation of American sociologists to study the industrial city. Graduate students at the University of Chicago produced dozens of theses and dissertations analyzing the characteristics of the juvenile delinquents who passed through the court.[30] In *The Gang* (1927), sociologist Frederic Thrasher studied the "disorganized" neighborhoods that nurtured the Americanized children of European immigrants. Thrasher argued that delinquency was a product of cultural conflict and the breakdown of traditional authority under the pressure of the modern city. His colleague Clifford Shaw went further, using juvenile arrest records to map patterns of delinquency. Shaw worked in the worlds of academia and juvenile justice; as a juvenile probation officer, he met a Polish teenager named Stanley who became the subject of his landmark case study, *The Jack Roller* (1930). Based on extensive interviews with Stanley, as well as other personal and court-related documents, Shaw constructed a "life history" told

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[29] A multitude of histories exist on the juvenile court, some of which will be discussed in this chapter. The first scholarly history was Anthony M. Platt, *The Child Savers: The Invention of Juvenile Delinquency* (Chicago: University of Chicago Press, 1969).

[30] Victoria Getis, "Experts and Juvenile Delinquency, 1900-1935," Joe Austin and Michael Nevin Willard, eds., *Generations of Youth: Youth Cultures and History in Twentieth Century America* (New York: NYU Press, 1998), 20-33.

largely in the boy's own words. The value of this approach, according to Shaw, consisted of three things:

> (1) the point of view of the delinquent; (2) the social and cultural situation to which the delinquent is responsive; and (3) the sequence of past experiences and situations in the life of the delinquent.[31]

Shaw sought Stanley's "definition of the situation," a phrase coined by fellow sociologist William I. Thomas to describe something that could only be gained by a genuine attempt to understand people whose cultural background, material circumstances, and individual worldview differed wildly with one's own. This ambitious task was not without its share of problems. Stanley not only misled Shaw on occasion, but also seemed to deceive himself about his own role in getting in trouble. Nevertheless, Shaw was in the vanguard of social psychological approaches to the juvenile delinquent, which demanded serious attention to the lives of individual youth.

Chicago sociologists were among the first scholars to take advantage of the juvenile court, which provided some of the best documentation of the words and experiences of young people. Sociologists, psychiatrists, psychologists, and social workers worked both as academics and as social reformers; many of them, like Shaw, participated in the actual work of the juvenile court. Generations later, the first scholarly histories of juvenile justice operated under greater constraints. Scholarly histories of the juvenile court, juvenile justice, and juvenile delinquency have labored under some of the same difficulties with sources that bedevil children's historians. It is relatively easy to gain access to the archived records of

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[31] Clifford Shaw, *The Jack-Roller: A Delinquent Boy's Own Story* (Chicago: University of Chicago Press, 1966 [1930]), 3.

public (and most private) youth agencies, which afford the historian some entry into the minds of the adults who ran them. Likewise, official meetings, policy papers, and correspondence seem generally available for researchers. However, due to rules protecting the privacy of juveniles, it can be virtually impossible to gain access to individual case files, which often contain notes and transcriptions from interviews with young people. Some scholars have managed to see such documents, and so have been able to describe the daily experiences of institutions through the eyes of children and adolescents. In a broad sense, then, it is possible to divide the vast body of scholarship on the juvenile court, juvenile justice, and juvenile delinquency between those who tell the story from a "top down" versus a "bottom up" perspective.

Published in the late 1960s and 70s, the first histories of juvenile justice relied almost entirely on official sources. And yet it is clear that they shared inspiration with the "new social history," which captivated a generation of historians raised on the New Left's valorization of outgroups traditionally rendered invisible in American history and culture. To describe juvenile delinquency as an "invention," as Anthony Platt did in 1969, was to suggest that juvenile delinquents comprised another historically victimized and ignored social group. At the same time, he investigated the ideas and theories of Progressive era experts, in a manner that combined the writerly roles of historian and muckraker. The flood of scholarship that followed Platt's book took a similar approach. Despite its title, Robert Mennel's *Thorns and Thistles: Juvenile Delinquents in the United States, 1825-1940* (1973) tells us little about juvenile delinquents but a

great deal about intellectual and institutional responses to delinquency, beginning with the New York House of Refuge, established in 1825 as the first American reform school, and ending with the Chicago school of sociology's published studies of urban delinquents in the 1920s and 30s. By juxtaposing statistics on juvenile delinquents with the writings and statements of policy intellectuals, Mennel is able to draw some conclusions about the changing meaning of the term "juvenile delinquency." For generations, it functioned as "a euphemism for the crimes and conditions of poor children;" by the post-World War II era, however, the word came to include the petty and drug-related offenses of middle-class teenagers.[32]

This more recent usage reflected anxieties about the postwar generation's consumption of mass culture, which forms the central premise for James Gilbert's study *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950s* (1986). Focusing not on the workings of juvenile justice but on popular, expert, and governmental attacks against the culture industry, Gilbert suggests that public fears were based on a perceived rather than actual rise in delinquency. Serious juvenile offenses actually rose after the panic of the mid-1950s, while most of the concern seemed to focus on "status crimes" such as underage drinking, truancy, breaking curfew, or sexual activity.[33] Clearly, the postwar panic over delinquency stemmed from general anxieties about the decline of traditional

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[32] Robert M. Mennel, *Thorns and Thistles: Juvenile Delinquents in the United States, 1825-1940* (Hanover: University Press of New England, 1973), xxvi. Mennel's book was a summary of his research for a massive multi-volume anthology of primary documents on the history of children and youth. See Robert H. Bremner ed., *Children and Youth in America: A Documentary History* (4 vols., Cambridge: Harvard University Press, 1970-74).

[33] James A. Gilbert, *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950s* (New York: Oxford University Press, 1986), 68-70.

sources of adult authority – "the home, the church, and the school," as Senator Estes Kefauver put it in his 1955 report on "comic books and juvenile delinquency."[34] Mass culture, in Gilbert's view, became a scapegoat for new and startling youthful behaviors, tastes, and activities. Gilbert's study is valuable for its ability to convey widely shared concerns; however, its broad scope also tends to smooth over differences in the American population. One wonders if specific social groups such as African Americans or Southern whites shared in the national mood about teenagers. Moreover, Gilbert never examines the cultural "texts" that so outraged defenders of tradition in the 1950s; we generally see them as their critics did.

Nevertheless, Gilbert's book broke new ground ploughed further in later survey-like studies of American youth written for both academic and non-academic readers. Grace Palladino's *Teenagers: An American History* (1996) celebrates the invention of the "teenager" after World War II. Using largely commercial and published sources, she argues that increased adolescent autonomy helped spur larger freedoms, in the realm of both personal choices and civil rights. Much of the story is told through the lens of market research, as enterprising advertisers such as Eugene Gilbert, author of *Advertising and Marketing to Young People* (1957), discovered legions of young consumers eager to buy products and leisure experiences that spoke to their special wants and needs.[35] A contrasting interpretation appears in Thomas Hine's *The Rise and Fall of the American*

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[34] Cited in U.S. Congress, Senate Subcommittee to Investigate Juvenile Delinquency, *Comic Books and Juvenile Delinquency*, Interim Report to the Committee on the Judiciary, 84th Cong., 1st sess. (1955), 32.

[35] Grace Palladino, *Teenagers: An American History* (New York: Basic Books, 1996).

Teenager (1999). Hine uses similar source materials as Palladino to conclude that the teenager has infantilized young people more than it has liberated them. He insists that teenagers have chafed at overprotective adults and confining institutions such as the high school, both of which limit them from realizing their true intellectual, artistic, and physical potentials. For Hine, a little bit of "adultification" might be desirable, if not necessary.[36]

An exception to the scholarship on postwar youth is William S. Graebner's *Coming of Age in Buffalo* (1990), a social and cultural history that is both theoretically sophisticated and methodologically precise. Relying on extensive oral interviews with adults who grew up during the 1950s, as well as a treasure trove of material culture, Graebner captures how teenagers carved out their own identities through music, fashion, style, and leisure. Teenagers reshaped the "youth culture" handed to them by national marketers and local community leaders. In response, city leaders launched campaigns to "engineer" youthful behavior through sanctioned recreation activities, high school dress codes, and the use of academic and vocational schools to separate "good" from "bad" kids. In a study not focused exclusively on juvenile delinquency, Graebner nevertheless offers one of the more nuanced portraits of it. Teenagers from various social classes engaged in "dangerous" behavior, but working-class kids received an inordinate amount of attention.[37]

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[36] Thomas Hine, *The Rise and Fall of the American Teenager* (New York: Avon Books, 1999).
[37] William S. Graebner, *Coming of Age in Buffalo: Youth and Authority in the Postwar Era* (Philadelphia: Temple University Press, 1990), esp. 87-118.

This conclusion mirrors those of histories of juvenile justice that have managed to gain access to case files. One of the earliest such works, Steven Schlossman's study of the Milwaukee juvenile court, argues for the existence of a "dual system of juvenile justice" as early as the Progressive era.[38] A "literal dumping ground" for youth unable to fit into child guidance clinics, settlement recreation programs, or supervised probation, the Milwaukee juvenile court subjected working-class children of immigrants especially to "arbitrary and punitive authority."[39] The departure of theory from reality, he claims, provided an illusion that punishment had been abolished. Written in 1977, the book reflects the influence of court-ordered reforms of juvenile courts and training schools, striking a muckraking tone that tells us little about how adolescents might have been "constructed" as adults.

More recently, Mary Odem's *Delinquent Daughters* (1995) and Anne Meis Knupfer's *Reform and Resistance* (2002) offer the most complex renderings yet of Progressive era juvenile justice. Odem uses case files from the Oakland and Los Angeles juvenile courts to explore battles over sexual behavior between working-class parents and their daughters. Thanks to age of consent laws, parents often used the courts to control daughters and punish male partners. Girls told social workers and juvenile judges a host of reasons for their desire to have sex, including love, pleasure, a desire to marry, or escape from an undesirable

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[38] Steven L. Schlossman, *Love and the American Delinquent: The Theory and Practice of "Progressive" Juvenile Justice, 1825-1920* (Chicago: University of Chicago Press, 1977), 3.
[39] *Ibid*., 58.

(sometimes abusive) home life.[40] Knupfer's study add an intriguing layer to the testimonies of adolescent girls, by arguing that they were often "scripted" according to individual desires. In the 1910s and 20s, girls often unintentionally framed their "own stories" according to narratives found in story-papers, or consciously distorted them "to protect a boyfriend, to seek revenge, or to outboast another girl."[41] Thus it becomes impossible to be certain of the veracity of any particular narrative of an individual delinquent. Nevertheless, Knupfer finds a disproportionate number of African American girls in the juvenile court system from its early years, suggesting a pattern of criminalization still debated today.

Getting at the voices and experiences of young people in past eras, then, is no easy task. Even case files and archived interviews present challenges, because they are mediated documents that must be interpreted with caution. Often, private child-serving institutions kept records in haphazard fashion. For example, during my research, I discovered that the Houston Child Guidance Clinic regularly had destroyed its case files as a space-saving policy. Like countless historians, I ran into several legal barriers erected to protect the privacy of children, which made it difficult to reconstruct their experiences – my original ambition for this project. To a certain extent, regardless of sources, historians find themselves taking on the role of "representing" children and youth.

Lacking the kinds of first-person sources needed to explore the outlooks and experiences of living, breathing young people, I have instead attempted here

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[40] Mary E. Odem, *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill, NC: University of North Carolina Press, 1995), 38-62.
[41] Anne Meis Knupfer, *Reform and Resistance: Gender, Delinquency, and America's First Juvenile Court* (New York: Routledge, 2002), 4.

to combine some of the approaches described above. The dissertation draws connections between subjects usually studied separately: scientific theories, juvenile institutions and programs, and American culture writ large; national, regional, and local debates about the juvenile delinquent; and the political economy of juvenile justice with the popular representation of the social problem of delinquency. Rather than settle for the obvious conclusion that "the" juvenile delinquent has been a cultural construction, I explore the creation of those images and narratives, and the social and political purposes they served.

Chapter 2: *Child Mental Health and the Shifting Borders of the American "Youth Problem," 1933-1969*

In the months after September 11, 2001, one of the few topics unrelated to international terrorism to elicit significant media coverage was juvenile justice. Specifically, reporters joined in a growing debate over the propriety of sentencing children and adolescents as adults for certain crimes. A thoughtful entry into the discussion appeared in the *New York Times Magazine* in September 2002. Alongside a graphic cataloguing the various ages at which states tried juveniles as adults, novelist Ann Patchett observes that contemporary boundaries of American adolescence contain "a certain elasticity." While all manner of commentators now condemn twelve-year-olds in adult courtrooms, they generally condone adolescent behaviors exhibited by "grown-ups" as old as forty. "Gone are the days when we all kept getting older," she muses trenchantly; "the bar for youth is now raised with every birthday."[42] Intent on admonishing her adult readers for their double standard of judgment, Patchett's essay also suggests that conventional wisdom increasingly has come to view the life stages of childhood and adolescence as cultural constructions capable of transcending even the age categories that long had confined them.

While the seeming certitude of legalistic definitions of "adult" and "juvenile" has come into question, the distinction between appropriate and "delinquent" teenage behaviors has become equally unclear. Today, teenagers find their way into juvenile courts for a number of infractions, the lesser of which

[42] Ann Patchett, "The Age of Innocence," *New York Times Magazine*, 9/29/2002, p.17-18.

fall into the category of "acting out:" fighting at school, talking about doing violence, wearing gang colors, possessing illegal substances, and, most often, violating a probation sentence on an earlier charge. A shorthand for behaviors ranging from everyday tantrums to violent assaults, the phrase "acting out" belongs to the jargon of psychiatry and psychology, and highlights their historic role in defining "normal" and "delinquent" adolescence. Two of the three leading academic journals devoted to teenagers are dominated by psychological theory; in the third, the *Journal of Research in Crime and Delinquency*, sociologists and criminologists typically measure or correlate psychologically defined behaviors against variables such as class, race, gender, or neighborhood.[43]

To point out the historical importance of psychiatry and psychology is to echo a long-standing but still growing body of critical scholarship, much of which studies the broader cultural influences of the sciences of the mind since World War II. Among historians, the most recent treatment traces the impact of psychologists and psychological concepts upon national defense strategies, race relations, and various forms of popular culture.[44] Anne Scott MacLeod, a literary scholar, uncovers traditional gender ideologies modified for teenage girls in the pages of popular fiction. Cold War era narratives, aimed squarely at a female "young adult" readership, glorified marriage and motherhood as the most

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[43] Two of the four articles in the latest issue of the *Journal of Crime and Delinquency* address "self-control theory." http://www.ingenta.com/isis/browsing/allissues. Practitioners of mental health and social work dominate the *Journal of Youth and Adolescence* and *Youth and Society*. Psychological diagnoses such as "oppositional defiance disorder" or "attention deficit disorder" often medicalize non-psychological problems faced by children of color. See Ann Arnett Ferguson, *Bad Boys: Public Schools in the Making of Black Masculinity* (Ann Arbor: University of Michigan Press, 2002).

[44] Ellen Herman, *The Romance of American Psychology: Political Culture in an Age of Experts* (Berkeley: University of California, 1995).

"healthy" of ambitions.[45] Teaching an appropriate gender identity was integral to the broader notion that identity formation represented the central task of the adolescent life stage. Even this basic understanding has come under fire in recent scholarship, particularly cultural studies, which views with skepticism universal categories of experience such as that of the developmental model of adolescence. For example, the cultural geographer Stuart Aitken deems childhood and adolescence "placeless and abstract nouns" that erase the lived experiences of actual "children and young people." For Aitken, the association of innocence with childhood, and wrenching self-discovery with adolescence, represent "moral" models that skew interpretations of violent incidents such as the Columbine school shootings. The shocked reaction, he maintains, rested mainly upon the episode's setting in a white, upper-middle-class suburb; surely teenagers from this location could never carry out the ultraviolence generally associated with nonwhite "superpredators" from the equally stereotyped inner city.[46] The value of these insights lies in their insistence upon subjecting expert claims about young people to critical scrutiny. Transcendent narratives of adolescent "storm and stress" flatter the coming of age memories of concerned citizens, often at the price of clear understanding about the causes and meanings of inscrutable yet threatening teenage behaviors.

This chapter follows the line of inquiry recently put forth by historian Kathleen Jones, in her study of the child guidance movement from 1900-1950.

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[45] Anne Scott MacLeod, *American Childhood: Essays on Children's Literature of the Nineteenth and Twentieth Centuries* (Athens & London: University of Georgia Press, 1994), 49-68.
[46] Stuart C. Aitken, *Geographies of Young People: The Morally Contested Spaces of Identity* (London: Routledge, 2001), 18-26.

The words "child guidance" represented both a form of clinical treatment of troubled youth, and a set of ideas about child development that called for reforms in childrearing and education. Starting in the 1920s, major foundations and universities sponsored the opening of child guidance clinics in several American cities, published an array of childrearing manuals and pamphlets, and dispatched experts to train child-serving professionals in the recognition and treatment of various problem behaviors. Jones illustrates the path to professional authority that began with the focus on "predelinquent" working-class children and ended with "the everyday child," who was often middle-class and at less risk for trouble with law-enforcement. This change in clientele represented a process of popularization that was more or less complete after World War II. To uncover how child guidance experts "saturate[d] the culture with notions of child mental hygiene," Jones relies on both national publications and a close study of the influential Judge Baker Clinic in Boston. In the process, she discovers professionals motivated by both ambition and humanitarianism; parents confounded by and protective of their children; and descriptions of the "modern child" in need of carefully managed parenting and education.[47]

Like Jones' study, this chapter examines both specific child guidance institutions and their attempts to popularize a psychological coming of age. The story's setting, however, takes place light years away from the usual centers of

[47] Kathleen W. Jones, *Taming the Troublesome Child: American Families, Child Guidance, and the Limits of Psychiatric Authority* (Cambridge: Harvard University Press, 1999), esp. 91-119. Other book-length studies of child guidance include: Margo Horn, *Before It's Too Late: The Child Guidance Movement in the United States, 1922-1945* (Philadelphia: Temple University Press, 1989); and Theresa R. Richardson, *The Century of the Child: The Mental Hygiene Movement and Social Policy in the United States and Canada* (Albany, NY: SUNY Press, 1989).

social thought on childhood and youth. It revolves around the establishment of an unlikely but key hub of "child mental health" for the south and southwestern United States located at the University of Texas at Austin. The observation that child guidance came to focus upon nonserious disorders in middle-class young people was borne out in Texas even as that state became a key site in the struggle for racial equality. The experts who led the movements for child guidance and mental health in Texas were former New Dealers who submerged their politics in well-crafted popularization campaigns that achieved notable successes. To their work these intellectuals brought a brand of racial liberalism whose limits would be exposed by the late 1960s but whose place in World War II-era Texas was on the margins of mainstream political discourse. Mental health reformers engaged in activities that carried political meanings beyond the therapeutic management of individual equilibrium, eventually drawing them into that period's culture wars over desegregation and the meaning of Americanism.

Where this chapter differs from Jones and like-minded historians is in their somewhat neat distinction between the discourses surrounding young people from urban delinquency areas and those from the burgeoning ranks of the postwar middle-class. Too often the relationship between disparately constructed groups of young people has received only passing scholarly mention. To Jones' investigation of the effects upon "normal" middle-class children of psychological models designed for delinquents and predelinquents, this study asks the reverse question: What happened to "actual" juvenile delinquents when child guidance techniques of delinquency prevention left behind the harder-to-treat working-class

young people of the inner cities for the greener pastures of more manageable "everyday children?" Did therapeutic innovations penetrate the institutions of the juvenile justice system, and if so, what did they look like? Subsequent chapters explore the role of UT-trained adherents of mental health in reshaping juvenile justice, as well as the work of UT-supported "community action" programs to curb juvenile delinquency. Such endeavors often popularized an image of the average delinquent that evoked compassion and sympathy yet stood sharply at odds with the demography of juvenile offenders. The work of mental health and child guidance advocates, often unintentionally, enabled the misrepresentation of juvenile delinquency as a preventable bane of white, middle-class, misbehaving teenagers. As the variables of class, race, ethnicity, and neighborhood melted away before a more psychologically constructed teenager, and as the typical faces in courtrooms and training schools became brown and black, "juvenile delinquency" and juvenile justice drifted apart. At the sunset of Jim Crow, the discursive and institutional landscapes surrounding teenagers in trouble became increasingly separate and unequal.

I. Caste and Class: The Teenage Prism

"I have moments of real terror," confided Eleanor Roosevelt in a 1935 essay, "when I think we may be losing this generation."[48] Widely shared, her fears centered on young males who were both out of school and out of work. The seriousness of the problem can be gauged in the responses of the New Deal administration and the growing network of philanthropic foundations, particularly those that had sponsored the interwar child guidance movement. Through their combined efforts came the Civilian Conservation Corps and the National Youth Administration, federal agencies that provided vocational and educational opportunities for desperate young people and "social laboratories" for academic intellectuals. Among the most significant research projects were those sponsored by the American Youth Commission, a creation of the Rockefeller Foundation. The AYC provided formative political and scholarly experiences for the intellectuals who went on to revolutionize social thought on young people in Texas after World War II.

The setting for these experiences was the Depression decade, when young people – particularly boys - "dropped out" of their prescribed social roles in numbers that later might have made Timothy Leary envious. Nearly half of the ten million high school age youth were both out of school and unemployed. Of that number, a quarter to a half million rode the rails. Government surveys described a youthful hobo population with a median age of nineteen for white

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[48] Eleanor Roosevelt, "Facing the Problems of Youth," *Journal of Social Hygiene* (Oct-Dec 1935), 393-394, quoted in Errol Lincoln Uys, *Riding the Rails: Teenagers on the Move During the Great Depression* (New York: TV Books, 1999), 23. Roosevelt expressed similar sentiments in her foreword to W. Thatcher Winslow and Frank P. Davidson eds., *American Youth: An Enforced Reconaissance* (Cambridge: Harvard University Press, 1940).

males and seventeen for black males.[49] Official estimates, often given in broad ranges, only compounded the perceived danger posed by a large population of jobless, homeless, uneducated young men.[50] Observers commonly imagined them as an ideal constituency for homegrown fascists. "It is often the depressed, embittered, or unstable youth who most quickly follows the demagogue," warned Homer P. Rainey, who served as the first director of the American Youth Commission before accepting the presidency of the University of Texas in 1939. "[H]is maladjustment often leads to delinquency and crime."[51] In the eyes of several commentators, a "Youth Problem" had emerged with international dimensions. Wracked by economic depression, most industrial nations contained a simmering "army of the unemployed" comprised largely of young people. The military metaphor seemed a likely reality, as American officials nervously eyed the flocks of young soldiers in emerging fascist states. "In Italy and Germany youth marches in uniform to martial music," warned W. Thatcher Winslow, the assistant director of the National Youth Administration.[52] American fears of violent revolution at home imagined young faces leading the charge.

The association of social disorder with idle young men was hardly confined to this particular historical moment, nor was it a uniquely American

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[49] Government figures reproduced in Kenneth Holland and Frank Ernest Hill, *Youth in the CCC* (Washington, D.C.: American Council on Education, 1942), 8.
[50] Richard A. Reiman, *The New Deal and American Youth: Ideas and Ideals in a Depression Decade* (Athens & London: The University of Georgia Press, 1992), 131-32.
[51] Homer P. Rainey, *How Fare American Youth?* (New York: D. Appleton-Century Company, 1938), 159.
[52] W. Thatcher Winslow, *Youth, A World Problem: A Study in World Perspective of Youth Conditions, Movements and Programs* (Washington, D.C.: Government Printing Office, 1937), xi.

phenomenon.[53] Consider, for instance, the young troublemakers described in Edmund Morgan's now-classic study of colonial Virginia. There, indentured servitude had served the express purpose of siphoning off an unwanted population of "masterless men," mostly young, from England. Soon Virginia too faced a youth problem of sorts; upon attaining their freedom, servants found themselves with neither land nor economic opportunity. In Morgan's hands, these eager participants in petty crime, frontier violence, and most spectacularly, political rebellion, appear as incipient juvenile delinquents:

> So here they are again, the terrible young men. In old England they slept in the sun when they should have been cutting... wheat. They bowled in the streets of Jamestown when they should have been planting corn. England poured them into Virginia by the thousands, and good riddance. ... [T]hey often offended the community by more than idleness and tax dodging. They enticed servants to steal hogs with them and feast in the forest. ... And they gathered at the polls at election time and so upset their former masters that in 1670 the assembly decided it was unsafe to allow them to vote.[54]

In contrast to the frontier's longtime reputation for lawlessness, the domesticated countryside became the main site for the rehabilitation of delinquent youth by the time of the Civil War. The most significant programs aimed to instill virtuous citizenship in "wayward youth" by placing them with farm families, a strategy influenced by the Jeffersonian celebration of the yeoman farmer as the ideal citizen of a democratic republic.[55] Scant decades after Jefferson's death, his

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[53] This premise forms the basis for David T. Courtwright, *Violent Land: Single Men and Social Disorder from the Frontier to the Inner City* (Cambridge: Harvard University Press, 1996).
[54] Edmund Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: Norton, 1975), 238.
[55] The New Deal's Civilian Conservation Corps also drew upon this tradition. Leslie Alexander Lacy, *The Soil Soldiers: The Civilian Conservation Corps in the Great Depression* (Radnor, PA: Chilton Book Co., 1976), 18, claims that Roosevelt "followed the strict Jeffersonian belief that an existence lived close to nature was the highest life plane."

prophecy about the ills of the industrial city seemed borne out by the young men who roamed its streets unchecked. Charles Loring Brace, who founded the Children's Aid Society in 1852, called them the "ignorant, destitute, untrained, and abandoned youth... the outcast street-children grown up to be voters, to be the implements of demagogues, the 'feeders' of the criminals, and the sources of domestic outbreaks and violations of law."[56] Along with his sometime collaborator Horatio Alger, Brace intervened in the lives of so-called "street-Arabs" in a number of ways, notably by sending them to live with farm families. In "the farmer's home" were "solid and intelligent" and "naturally generous" mentors schooled in the virtues of honest work and democratic citizenship.[57]

Brace's experiment preceded a series of child saving projects sponsored by private charities or local governments; until the New Deal, the most significant federal intervention was the creation of the Children's Bureau in the Progressive era. In the forestry camps of the Civilian Conservation Corps, the Roosevelt administration created a spiritual successor to the Children's Aid Society. Thousands of young men aged 16-25 worked on projects of natural conservation, park maintenance, and monument construction that combined yeoman labor with scientific training. Enormously popular, the CCC harkened to older associations of wilderness, hard work, and good citizenship.

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[56] Charles Loring Brace, *The Dangerous Classes of New York, and Twenty Years' Work Among Them* (New York, 1872), ii.

[57] *Ibid*., 223-233. For a discussion of Brace and the project of urban reform generally, see Paul Boyer, *Urban Masses and Moral Order in America, 1820-1920* (Cambridge: Harvard University Press, 1978), 96-107. The late-19th-century scouting movement also had its basis in the imagined connection between boyhood and nature. See Jay Mechling, *On My Honor: Boy Scouts and the Making of American Youth* (Chicago: University of Chicago Press, 2001).

By contrast, the New Deal's other major youth program, the National Youth Administration (NYA), sought to change hearts and minds in a more programmatic fashion. Remembered as a "junior WPA," the NYA in fact put forth an early version of the college work-study program. Offering "civil scholarships" in which vocational labor paid for tuition, the NYA envisioned its work in the context of an expansive definition of citizenship. The NYA introduced vocational and citizenship courses to the high school and college curriculum, and forced reluctant educators at a number of institutions to admit nonwhite and poor white students.[58] One of the more "radical" New Deal programs, the NYA openly portrayed its mission as "the moral equivalent of war," a phrase that recalled the Progressives' association of citizenship with service.[59] The antidote to the youth problem, NYA planners felt, lay in the cultivation of a sense of shared sacrifice; to do less was to court disaster. "[A]ny nation interested in self-preservation," instructed one pamphlet characteristically, "must see to it that the young have a proper chance to grow into useful citizens."[60]

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[58] Reiman, *New Deal and American Youth*, 7-15. By comparison, see Olen Cole, Jr., *The African-American Experience in the Civilian Conservation Corps* (Gainesville: University Press of Florida, 1999).

[59] Quoted verbatim in Winslow, *American Youth*, 15. Gilded Age intellectuals such as Oliver Wendell Holmes, Jr., worried about "the backbone of America's youth" in what many viewed as "a nation of cowards and self-seekers," invoking their own Civil War experience as a contrast. William James' essay, "The Moral Equivalent of War," sought to enlist "gilded youth" to become "better democrats, more sympathetic with the problems of the working population for having been workers themselves." In many ways, the CCC embodied James' vision. George M. Frederickson, *The Inner Civil War: Northern Intellectuals and the Crisis of the Union* (New York: Harper & Row, 1965), 217-238.

[60] *A Program of Action for American Youth*, brochure issued September 1939. Sutherland (Robert L.) Papers. Center for American History (CAH), University of Texas at Austin (hereafter Sutherland Papers).

The changing emphasis from merely occupying young people productively to inculcating a vague feeling of belonging to America created a demand for scientific experts versed in the latest theories of childhood and adolescence. In response, the Rockefeller Fund's American Council on Education created the American Youth Commission in 1935. Its mandate was to appraise the "needs of youth and... the facilities and resources for serving those needs; plan experiments and programs...; [and] popularize and promote desirable plans of action through publications, conferences, and demonstrations."[61] The AYC's earliest studies continued the centuries-old practice of lumping together adolescents and young adults as "youth." For example, an influential monograph on "the conditions and attitudes of young people in Maryland" identified the lack of "educational opportunity," a living wage, and "proper recreation and leisure," as problems equally applicable to young adults and adolescents.[62] Another study, which gave a detailed analysis of educational inequality by region, class, and to a lesser extent race, similarly lacks specific reference to the psychologically defined adolescent.[63] Not until the AYC turned its attention specifically to young African Americans did it begin to articulate psychological models of adolescent development.

The inspiration for the AYC's "Negro Project," which began early in 1938, seems to have been twofold. In one of the first studies sponsored by the

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[61] These words come from Floyd W. Reeves, director of the AYC from 1940-1944. Foreword to Holland and Hill, *Youth in the CCC*, xi.

[62] Howard M. Bell, *Youth Tell Their Story: A Study of the Conditions and Attitudes of Young People in Maryland Between the Ages of 16 and 24* (Washington, D.C.: American Council on Education, 1938).

[63] Newton Edwards, *Equal Educational Opportunity for Youth: A National Responsibility* (Washington, D.C.: American Council on Education, 1939).

AYC, educator Kenneth Holland had discovered "satisfactory" race relations in integrated CCC work camps. Black youth workers received "the same food, quarters, clothing, and general privileges" as whites, with little or no protest; like juvenile delinquency, prejudice seemed a product of a specific environment rather than an immutable clause in the natural law.[64] Integrationist in outlook, the AYC was sympathetic to constructivist analyses of race, many of which emerged from Robert E. Park's sociology department at the University of Chicago. Interdisciplinary openness encouraged Chicago sociologists to favor cultural rather than hereditarian analyses of ethnic and racial groups, an approach soon embraced across the spectrum of social sciences and universities. By the late 1930s, "culture and personality" scholars such as Harry Stack Sullivan, Edward Sapir, and Karen Horney had demonstrated the utility of a concept of "culture" that united the fields of cultural anthropology, Freudian psychiatry, and social psychology.[65] Significantly, professors or graduates of the University of Chicago authored all four major monographs in the AYC series on race. The storied program also counted among its alumni the AYC director, Homer Price Rainey, and the associate director for the race project, Robert Lee Sutherland.[66]

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[64] Holland and Hill, *Youth in the CCC*, 257-258. The study's description of race relations is cited in AYC's *Manual of Instructions for Case Studies* (undated). Sutherland Papers.

[65] See especially Martin Bulmer, *The Chicago School of Sociology: Institutionalization, Diversity, and the Rise of Sociological Research* (Chicago: University of Chicago, 1984), ch. 11; Fred Matthews, *Quest for an American Sociology: Robert E. Park and the Chicago School* (Montreal: McGill-Queen's University Press, 1977), 157-189; and R. Fred Wacker, "The Sociology of Race and Ethnicity in the Second Chicago School," Gary Alan Fine ed., *A Second Chicago School? The Development of a Postwar American Sociology* (Chicago: University of Chicago Press, 1995), 136-163.

[66] Prior to their collaboration on the American Youth Commission, Rainey had chaired the social science department at Bucknell University in Pennsylvania, where Sutherland was a junior professor in the early 1930s. Homer P. Rainey, "A Personal Reminiscence," *The Hogg Foundation for Mental Health: The First Three Decades* (Austin, 1970), 3-5.

The AYC books form a substantial portion of what have become known as the "caste and class" studies of African American culture. Controversial when published for their sympathetic view of the plight of blacks, these studies left a controversial legacy that continues to provoke vitriolic debate among scholars. They were among the earliest scholarly statements of the "damage thesis," which described individual blacks as psychologically mutilated and black culture as pathological. Popularized by Gunnar Myrdal's *An American Dilemma*, the damage thesis became part of the moral basis for the legal dismantling of segregation and the creation of remedial social programs. Over the years, however, the idea proved fluid enough to accommodate enemies of equality. Political conservatives later would invoke a version of the damage thesis – the "culture of poverty" – as a rationale for public disinvestment from those same social programs. By the late twentieth century, social thought had come full circle; in the recent words of one historian, culture and psychology "had come to replace biology as a basis for scientific racism."[67]

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[67] Alice O'Connor, *Poverty Knowledge: Social Science, Social Policy, and the Poor in Twentieth Century U.S. History* (Princeton: Princeton University Press, 2001), 16. Historian Kevin Gaines similarly blames the caste and class studies for casting "the shadow of pathology" over African Americans in subsequent social thought. Kevin K. Gaines, *Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century* (Chapel Hill, NC: University of North Carolina Press, 1996), 257. See also Daryl Michael Scott, *Contempt and Pity: Social Policy and the Image of the Damaged Black Psyche, 1880-1996* (Chapel Hill: University of North Carolina Press, 1997), 19-40. Walter A. Jackson, *Gunnar Myrdal and America's Conscience: Social Engineering and Racial Liberalism, 1938-1987* (Chapel Hill: University of North Carolina Press, 1987), 240, separates Myrdal's concept of the "American creed" from the idea of African American culture as "a pathological vestige of slavery and segregation that would soon fade away." Robin D.G. Kelley, *"Yo Mama's Dysfunktional:" Fighting the Culture Wars in Urban America* (cite), 18-42, demonstrates the influence of deprivation psychology upon 1960s' urban ethnographers studying black ghettoes.

The historical debate over the caste and class studies has overlooked their immediate context – the youth crisis of the 1930s. AYC planning documents suggest an intent to expand the reach of future youth programs rather than to promulgate a bold new theory of black culture. Indeed, the initial meeting of the AYC "Negro committee" specified adolescence as "a crucial period for a study."[68] Robert Sutherland's preliminary notes described race as a secondary variable, an "added problem" complicating the presumably universal experience of adolescent turmoil.[69] Sutherland likened young blacks to the children of European immigrants who had been the subjects of seminal sociological studies of cultural conflict.[70] As the modern city undermined parental controls over immigrant youth, it hampered the efforts of black families seeking to shield their children from racist encounters with exclusionary institutions and individual whites. From this observation, Sutherland hypothesized that myriad forms of racism distorted adolescence, and envisioned studies of large cities and small towns situated in different regions of the United States. He hoped a composite picture would demonstrate a shared "maladjustment from family and peer relationships, of doing well in school, of finding a balance between work and play, [and] of working out a personal philosophy that guides their development

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[68] Minutes, First Meeting of the Advisory Committee on the Negro Project, Washington, D.C., January 8, 1938. Sutherland Papers.
[69] Robert L. Sutherland, "Negro Youth: A Review of the Problems, Summary of Research, and a Recommended Program" (October 1937). Sutherland Papers.
[70] The classic study of cultural conflict between immigrants and their "Americanized" children is William I. Thomas and Florian Znaniecke, *The Polish Peasant in Europe and America* (New York: Dover Publications, 1958 [1920]).

and provides security in time of crisis."[71] Sutherland's expectations proceeded directly from his doctoral thesis on Chicago's black churches, which included an analysis of the generation gap between black parents from the rural South and their more streetwise children. Nowhere in the thesis can be found descriptions of psychological damage or deviant culture; instead, Sutherland details black neighborhoods ranging from "disorganized" to cohesive, all bounded by "points of stress" with hostile whites. Keenly aware of variables such as racial succession, diversity in religious expression, and discrimination, Sutherland sought to expand the borders of his approach from the city to the nation.[72]

The AYC monographs eschewed Sutherland's social psychological approach in favor of a focus on individual and group psychology. Itself a developmental concept, the subject of adolescence spurred researchers to view African Americans of all ages through the lens of pathology. Each book presents lengthy life histories of individual black teenagers from different class backgrounds, drawn largely from interviews, field notes, and regional social survey data. Individual researchers sought to reconstruct the consciousness of their subjects. E. Franklin Frazier's research on young blacks in the Mid-Atlantic States proposed "to discover in the experiences of Negro youth those influences which have determined their conceptions of themselves as Negroes, their attitudes toward other Negroes and toward whites, and their attitudes toward the world

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[71] Robert L. Sutherland, "A Proposed Study of Negro Youth Recommended to the American Youth Commission" (undated, circa winter 1937-38). Sutherland Papers.

[72] Robert L. Sutherland, "An Analysis of Negro Churches in Chicago," Ph.D. thesis, University of Chicago, 1930. Although he studied with Ernest Burgess and Clifford Shaw, his degree was in Christian Theology and Ethics, which helps explain the strong moral tone that often crept into Sutherland's "scientific" prose as well as the missionary zeal with which he advocated mental health reforms later in Texas.

about them."[73] In his study of the rural Deep South, sociologist Charles S. Johnson described "adjustment devices" that helped young blacks function in the Jim Crow environment. "Masking" tactics, he found, concealed true feelings from whites while subtly nurturing lowered expectations in young blacks themselves. Johnson identified a matrix of self-censoring behaviors with "important implications for the shaping of personality, and for that wholesome integration of personality and the social world which gives one a sense of adequacy."[74] Emblematic of the effects of public coping mechanisms were private deviant behaviors, which provided conclusive evidence of the researchers' shared hypothesis: Racism inflicted its worst psychological damage during childhood and adolescence. While this general conclusion still finds support today, it has been obscured by the monographs' cartoonish obsession with so-called "deviant" behaviors. In an oft-repeated example, Allison Davis and John Dollard characterized the verbal play-jousting known as "the dozens" as "part of the pattern of free aggressive expression which is characteristic of the lowest stratum."[75]

However misguided were such readings, their authors elsewhere gave stark illustrations that young blacks in the Jim Crow era faced troubles far beyond the scope of adolescent "storm and stress." Children and teenagers consistently

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[73] E. Franklin Frazier, *Negro Youth at the Crossways: Their Personality Development in the Middle States* (Washington, D.C.: American Council on Education, 1940), 262.
[74] Charles S. Johnson, *Growing Up in the Black Belt: Negro Youth in the Rural South* (Washington, D.C.: American Council on Education, 1941), 71-72.
[75] Allison Davis and John Dollard, *Children of Bondage: The Personality Development of Negro Youth in the Urban South* (Washington, D.C.: American Council on Education, 1940), 82-83. See also John Dollard, *Caste and Class in a Southern Town* (New Haven: Yale University Press, 1937).

described low expectations for family, education, employment, and housing. Some readers concluded that young blacks represented an extreme example of the social ills that had inspired the New Deal youth programs in the first place. Dorothy Canfield Fisher, an editor at the Book-of-the-Month Club and a member of the AYC executive committee, stated as much in her preface to the first edition of Richard Wright's *Native Son*. "Our society puts Negro youth in the situation of the animal in the psychological laboratory," she wrote, "in which a neurosis is to be caused, by making it impossible for him to try to live up to... never-to-be questioned national ideals, as other young Americans do."[76] Wright's literary creation Bigger Thomas represented the fearsome result of a childhood and adolescence distorted by a racist environment. In fact, it is possible to interpret much of Wright's best-known work as a literary mirror of the American Youth Commission's studies, particularly in his portrayals of "damaged" black masculinity. The AYC's "area studies" drew contrasts between the rural South and the urban North that complemented Wright's *Uncle Tom's Children* (1938) and *Black Boy: A Study of Childhood and Youth* (1945), both set in the rural South, as well as the Chicago backdrop of *Native Son* (1940). Moreover, Wright himself compared the "deep sense of exclusion" felt by African Americans with the resentments of Russian revolutionaries and Nazi insurgents, much as New Deal administrators had likened dispossessed youth to incipient political rabble. These otherwise disparate groups shared a visceral cynicism about the respective

[76] Fisher, preface to Richard Wright, *Native Son* (New York: Harper & Row, 1940).

societies in which they had grown up, suggested Wright, which made violence seem attractive, even necessary.[77]

Echoing Wright's sentiments, Sutherland wrote *Color, Class, and Personality*, a summary of the AYC race studies. "From his earliest days," he noted, "[the black child] is made to feel different and often inferior."[78] Departing from the detached scientific prose of his colleagues, Sutherland offered impressionistic anecdotes that inveighed forcefully against the depredations of racism. More arresting than the text were the numerous photographs of young blacks that appeared throughout the book. The presentation style was that of the "ensemble of words and images," pioneered by reformist photojournalists such as Jacob Riis and Lewis Hine, in which photos served a social purpose.[79] A leading anti-child labor activist, Hine had envisioned his work as "social photography," an interactive medium in which his photos confronted middle- and upper-class viewers with the essential humanity of their subjects: child laborers, tenement families, or steelworkers. Displayed not in galleries but in social reform publications, his photos appeared alongside text explaining the causes and solutions to social ills.[80] Such was the function of the photographs in Sutherland's *Color, Class, and Personality*, which presented the AYC studies in a shorter format and rephrased their guarded conclusions in dramatic calls for social action. Like the Progressive era pamphlets, magazine articles, and books in which Hine's

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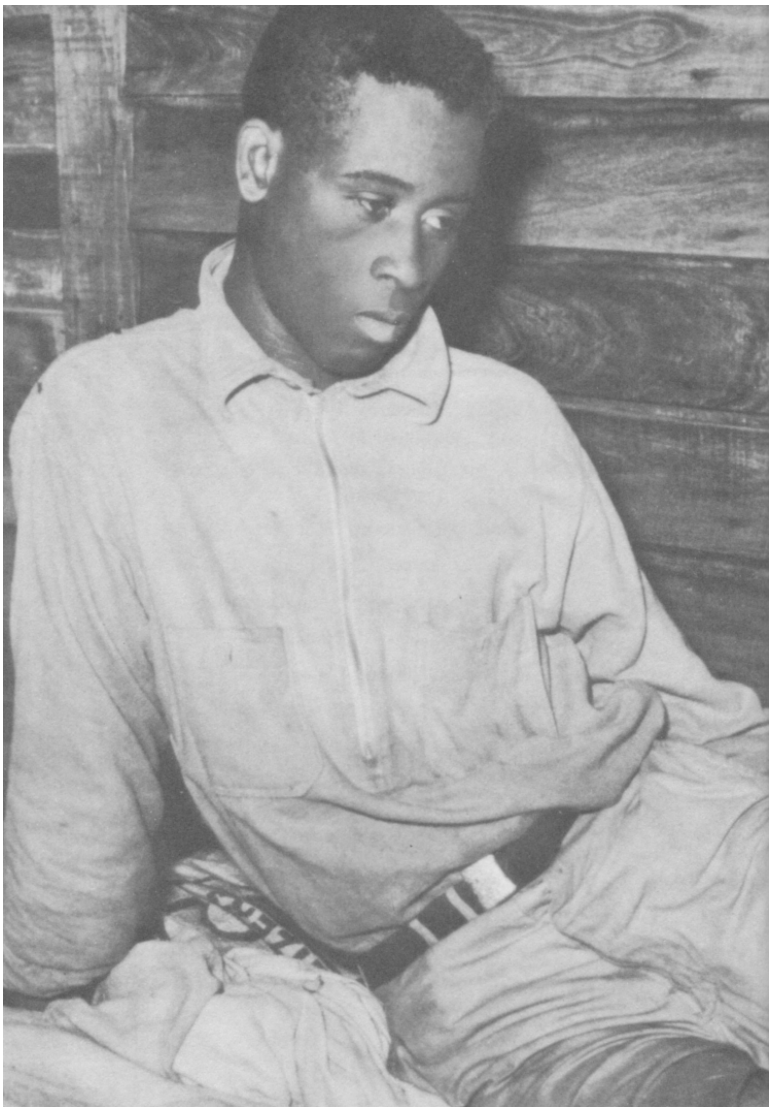
[77] Richard Wright, "How Bigger Was Born," introduction to *Native Son*, vii-xxxiv: xvii.
[78] Sutherland, *Color, Class, and Personality*, xv.
[79] Alan Trachtenberg, *Reading American Photographs: Images as History, Matthew Brady to Walker Evans* (New York: Hill and Wang, 1989), 168.
[80] *Ibid*., 190-209.

work appeared, Sutherland's book retained some of the authoritative language of social science while couching its appeals in terms of individual morality and the nation's traditional promise of equality. *Color, Class, and Personality* thus anticipated Myrdal's core argument that the Jim Crow system contradicted the "American creed" of equal citizenship. Furthermore, the book appealed as much to the emotions as the intellect by its use of photography.

Figure 1: Looking inward at a segregated Civilian Conservation Corps work camp, circa 1938.



Race experts argued that black adolescents suffered self-esteem problems magnified far beyond those of their white counterparts. Intended to evoke pity, this photo also suggests a stoic unwillingness to reveal anything for the camera. Photo: Untitled, Farm Securities Administration (1938). Reprinted in Sutherland, *Color, Class, and Personality* (1942).

Figure 2: “Learning to be Black in a White World” (undated, circa 1940)

The American Youth Commission warned that Jim Crow racism was creating a generation of angry young black men such as Bigger Thomas, depicted in Richard Wright’s *Native Son* (1940). Photo: Untitled, Farm Securities Administration. Reprinted in Sutherland, *Color, Class, and Personality* (1942).

Figure 3: Chemistry lab, Howard University, circa 1940

During the Depression, the perception of a “youth problem” prompted government assistance for higher education. The National Youth Administration sponsored college work-study programs for white, Latino, Native American, and African American students. Photo: Untitled. Reprinted in Sutherland, *Color, Class, and Personality* (1942).

Selected from the files of the Works Progress Administration and black colleges like Howard University and the Tuskegee Institute, the photographs appear to complement Sutherland's text. To the contemporary eye, however, they convey ambiguous messages. Consider, for example, the image of the black teenager reclining on a CCC cot (figure 1). Facing the title page, this photo greeted the reader, who was likely an academic, a public official, a philanthropist, or a journalist. The inclusion of the word "personality" in the title, opposite from the photo, encourages us to notice the teenager's pessimistic downward gaze. His slouched shoulders and the dirt stains on his clothes suggest that at a tender age, he has grown up "too soon." Like a grizzled laborer, he can anticipate little in the way of the self-discovery and identity formation that psychologists and sociologists already were beginning to associate with adolescence. However, it is equally possible that this young man's expression reflects his awareness, even discomfort, at the fact that he was being photographed. Today it is all too typical to see teenagers demonstrate their self-conscious angst by refusing to cooperate with an adult photographer. In this case, the photographer's status as an "expert" observer might have injected additional elements of pity or objectification, exacerbating the desire to maintain a stoic demeanor.

The "tough" exterior becomes a reflection of coping in a later section, entitled "Learning How to be Black in a White World" (figure 2). Like other photos, this one shows a black teenager gazing into the distance and away from the camera. His grimace plays to the reader's sympathy, far more than might a photo whose subject confronted the viewer with a direct, angry stare. A more

optimistic scene appears in the photo of Howard University students working in a chemistry lab (figure 3). Too engrossed in their studies to pose for the camera, they seem well on the path to professional careers and "assimilation" to bourgeois norms. Here was visual evidence for most of the claims of liberal psychologists and social scientists about black adolescents, as well as youth in general. The photos illustrate the viewpoints of the New Deal youth programs and the AYC "race studies," highlighting the vulnerability and precariousness of adolescence alongside the "damage" wrought upon young people by racism.

Beginning with cultural and environmental models of juvenile delinquency, then, the Chicago-trained caste and class scholars arrived at largely psychological conclusions. They outlined in embryo the tenets that would guide postwar theories of delinquent subcultures and "deviant" communities of color, whose characteristics increasingly came to transcend regional and cultural differences. The flaws of the caste and class project were byproducts of an effort to discredit lingering hereditarian notions of ethnic and racial inferiority. In children and adolescents, liberal experts found ideal repositories of a shared human nature, subject to the whims of culture.[81] Here the influence of "culture and personality" scholars stamped the studies' reliance upon a theoretical model of adolescence called "personality development." The phrase appears in the titles of three of the four major caste and class monographs.[82] Anticipating postwar

[81] On the rise of this idea in the early twentieth century, and its application to "less evolved" peoples, see Carl Degler, *In Search of Human Nature: The Decline and Revival of Darwinism in American Social Thought* (1991), 139-211.

[82] Examples of studies that obviously influenced the AYC scholars include Margaret Mead, *Coming of Age in Samoa* (1928); Ruth Benedict, *Patterns of Culture* (1934); and Karen Horney, *The Neurotic Personality of Our Time* (1937). On the culture and personality school, see Nathan Hale, Jr., *The Rise and Crisis of Psychoanalysis in the United States: Freud and the Americans,*

theories of adolescence, personality development marked the ascent of ego psychiatry over the strict Freudian mode that had guided the field for decades. Where Freudians studied the conscience ("ego") torn between an individual's inner drives ("id") and society's prescribed behaviors ("superego"), ego psychiatrists sought to manage a smoother adaptation to existing social norms. In postwar America, the psychology of personality became synonymous with mental health; avowed practitioners of both fields often measured emotional disorder by levels of nonconformity. Certain that they had identified unhealthy or maladjusted young people, AYC personality experts nevertheless labored through problems of definition – exemplified by the project's director, Robert Sutherland. In his summary of the race studies, he described personality as "the organization of the individual's traits, habits, and attitudes which determine his social role."[83] Elsewhere, in a sociology textbook that went through several editions in subsequent decades, he defined the "normal" personality as "one that is not abnormal."[84]

The Jim Crow system was not only unjust; it was pathological, and thus required psychological solutions. Researchers blamed widespread personality disorders in the South, among whites as well as blacks, upon the lack of adequate child guidance and mental health services. In spring 1940, Robert Sutherland seized an opportunity to address these deficiencies directly. His former supervisor

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1917-1985 (Cambridge: Harvard University Press, 1995); and Philip Cushman, *Constructing the Self, Constructing America: A Cultural History of Psychotherapy* (Reading, MA: Addison-Wesley Publishing Co., 1995), 186-192.

[83] Sutherland, *Color, Class, and Personality*, xvi.

[84] Robert L. Sutherland and Julian L. Woodward, *Introductory Sociology* (Chicago: J.P. Lippincott & Co., 1937), 254.

and mentor, Homer Rainey, had recommended him to a wealthy Texas philanthropist interested in launching a major mental health center that could spread the therapeutic gospel throughout the state. Attracted by the opportunity to put theory into action, Sutherland migrated to the University of Texas at Austin.

II. Advocacy and Reform of Mental Health Services in Texas

The UT Hogg Foundation for Mental Health was something of an anomaly: an advocate for psychology and liberal political reform in a state ruled by a conservative business elite that viewed both as pillars of Communist subversion. Expatriates from the American Youth Commission helped shape the early mission of the Hogg Foundation to educate both laypersons and youth-serving professionals in the principles of "child mental health." They often incorporated specific therapeutic services – clinics, visiting teachers, and guidance counselors - into "community action" demonstration programs that mobilized citizens behind general civic improvements. Recreation programs, family counseling services, even road construction and sewage maintenance projects, all fell within the rubric of community mental health. Like their counterparts elsewhere, Hogg Foundation professionals lumped the treatment of troubled children and adolescents into a more general curbing of social disorder. The reasons were partly strategic; scientific experts ensconced in northern and northeastern academies produced findings that supported controversial social reforms, most notably school desegregation. In Texas, such conclusions provided ammunition for right-wing activists, who spun far-fetched conspiracy theories about the subversive intentions of mental health experts. Their primary offense,

however, was not open advocacy for racial integration, but an implicit suggestion that middle and upper class white children also suffered personality disorders caused by bad parenting, second-rate teaching, and collective hypocrisy.[85]

The Hogg Foundation was born amidst bitter political conflict in Austin. UT president Rainey's input into the fledgling foundation's direction came between trading salvos with the conservative tycoons and managers who sat on the board of regents. The regents had demanded that Rainey fire professors for such offenses as teaching the works of John Dos Passos or attending labor union rallies. His staunch defense of academic freedom resulted in Rainey's dismissal in 1944. Several "liberal" professors also were fired; one regent complained that "the teaching of social work at UT... would make socialists."[86] Sutherland and another former AYC staffer, folklorist Harry Estill Moore, escaped this fate but surely learned to tread carefully around touchy social and political subjects. There would be no open denunciations of racial inequality forthcoming from the pens of Hogg Foundation researchers.

Robert Sutherland was both a skilled diplomat and an unconventionally down-to-earth intellectual. Potential adversaries found themselves quickly disarmed by his "folksy" and "friendly" manner. A typical day for Sutherland

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[85] Contemporary histories of the Hogg Foundation include "Hogg Foundation for Mental Health," *Handbook of Texas* <http://www.tsha.utexas.edu/handbook/online/index.html>; and "Hogg History" at the Hogg Foundation's website: <http://www.hogg.utexas.edu/Pages/History.html>.

[86] Ronnie Dugger, *Our Invaded Universities: Form, Reform and New Starts* (New York: W.W. Norton & Co., 1974), 45; for a full account of the Rainey affair, see pp. 35-52; see also Douglas C. Rossinow, *The Politics of Authenticity: Liberalism, Christianity, and the New Left in America* (New York: Columbia University Press, 1998), 25-29. An oversized fundraising book, *Developing a University Second to None* (Austin: University of Texas Development Board, 1941), introduced alumni to Sutherland and the Hogg Foundation as exemplars of public service and academic excellence. "Excellence" had been both the reason for Rainey's hiring and his primary defense against powerful right-wing critics on the UT board of regents.

began before dawn with a visit to Maudie's Cafe, where he would pore over notes from various ongoing research projects. Immediately after sunrise, Sutherland would retreat to "The Hill," an acre of forest he had purchased in west Austin. There he would dictate and write in a small work space dubbed his "outhouse." Lengthy discussions with colleagues on the issues of the day took place while Sutherland cooked bacon and eggs over a campfire. If not an outright bohemian, then, Sutherland adapted well to the laid-back atmosphere of Austin and proved "able to interact with all kinds."[87]

That Sutherland and Moore endured at all was due in no small measure to the patronage of the prominent Hogg family, which counted among its ancestors a Confederate captain and an admired state governor. By the late 1930s, the family's oldest daughter Ima administered an estate that had been enlarged considerably by an oil strike on family property. Their newfound wealth enabled the Hoggs to become philanthropists. "Miss Ima's" choice to endow a major mental health initiative stemmed in part from her own emotional breakdown over a decade earlier. The vogue of psychoanalysis that had swept through the elite circles of several American cities had missed Texas, forcing her to seek treatment elsewhere. In Philadelphia, she discovered the virtues of clinical therapy and met activist professionals from the National Committee for Mental Hygiene, a group advocating the replacement of large custodial institutions for the incurably insane with community-based clinics for "treatable" patients.[88] In the 1920s, the NCMH

[87] Author interview with Wayne Holtzman, 10/23/2003.

[88]Former mental patient Clifford Beers helped found the NCMH and describes it in Clifford W. Beers, *A Mind That Found Itself: An Autobiography* (Garden City, NY: Doubleday, 1948 [1908]), 255-380. Gerald N. Grob, *From Asylum to Community: Mental Health Policy in Modern America* (Princeton: Princeton University Press, 1991), 17-19.

launched a series of demonstration child guidance clinics, including one in Dallas that opened in 1927. Impressed by the project's results, Hogg launched the state's second child guidance clinic two years later in her hometown of Houston.[89]

Throughout the 1930s, the clinic struggled to stay afloat financially, forcing Hogg to mount perpetual fundraising drives. Prospects dimmed not only due to the Great Depression but because likely donors did not share Hogg's enthusiasm for child guidance. Worse yet, the clinic served poor and traditionally despised populations; about half of its initial referrals came from settlement homes, orphanages, and juvenile courts.[90] Fundraising appeals quickly adapted to this situation by replacing abstract neo-Darwinian language with more specific claims of contributing to social order. For example, an early fundraising letter described the clinic's mission as one of "making the rising generation more fit;" subsequent letters simply described the clinic's business with the shorthand phrase "delinquency prevention."[91] The irony of this rhetorical shift is that it accompanied a sharp drop in the number of referrals from the local juvenile court.[92] In child guidance literature, prevention meant less the treatment of actual juvenile delinquents than therapeutic intervention before adolescence. The treatment of "predelinquents" merely shifted the logic of the juvenile court movement down the developmental ladder; if adolescents were more "curable"

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[89] Louise Iscoe, *Ima Hogg: First Lady of Texas* (Austin: Hogg Foundation for Mental Health, 1976).
[90] "Annual Report of the Houston Child Guidance Clinic, 1931," p.7. Hogg (Ima) Papers, CAH.
[91] Fundraising letter, 5/12/1930. Hogg Papers.
[92] Fundraising letter, 11/11/1930 and 6/25/1931. Hogg Papers.

than adults, perhaps children might be reached even more readily.[93] In any case, the clinic's initial impact on the city appears to have been negligible, as was its effect upon statewide awareness of child guidance and mental health.

Along with the advent of the Hogg Foundation, the coming of World War II injected new life into the Houston child guidance project. An oft-described watershed moment for psychology and psychiatry, the war years afforded clinics the opportunity to expand their client base to include traumatized soldiers and their families. Shellshocked war veterans, work-weary factory laborers, and unsupervised children began to share space on the Houston clinic's increasingly crowded docket. By spring 1943, the clinic and the Hogg Foundation had contracted with the Army to study 211 Texas soldiers discharged with "neuropsychiatric disorders;" in Dallas' Highland Park Methodist Church, Hogg Foundation experts gave preventive counseling seminars to military chaplains.[94] Long waiting lists and perennial staff shortages, overlooked before the war, now galvanized efforts to improve upon the state's paucity of trained specialists in psychiatry, psychology, and social work. No graduate school of social work existed in the state's public universities until the University of Texas at Austin opened one in 1950, culminating a decade and a half of agitation by the Texas Conference of Social Welfare, a group comprising those social workers who either lacked proper training or had obtained their academic degrees elsewhere.[95]

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[93] See Horn, *Before It's Too Late*; Richardson, *The Century of the Child*, ch. 7-9. Paula S. Fass, *The Damned and the Beautiful: American Youth in the 1920s* (cite), 87-120, frames child guidance in a wider context of changing ideas about childrearing among the middle and upper classes.

[94] "Mental Hygiene and Military Service," pamphlet, March 1943. Papers of the Hogg Foundation for Mental Health, 1940-present, CAH (hereafter HF Papers).

[95] "An Idea Worth Fulfilling: History of the School of Social Work, 1950-1983" <http://www.utexas.edu/ssw/about/history/>. Only the small, private, and whites-only Our Lady of

Armed with the more official-sounding title of "Bureau of Mental Hygiene," the Houston clinic contributed to the professionalization effort. It co-sponsored and provided internship opportunities for a professional development program in mental health that was designed by the Hogg Foundation and conducted at the University of Houston (UH). In the fall semester of 1944, Houston-area schoolteachers began what amounted to educational psychology classes, accredited by both UT and UH.[96] Lecturers from as far away as Sutherland's alma mater, the University of Chicago, introduced students to the concept of personality development and detailed the signs of emotional disturbances. In the course entitled "Mental Health Skills of the Teacher," educators practiced responding to hypothetical "classroom situations" ranging from mild disobedience to serious violence. A theoretically oriented course, "The Mental Health of Human Development," explored the four developmental stages encompassing the years of one's education: preschool, childhood, adolescence, and young adulthood. Other courses devoted to the "exceptional child," teacher, family, and returning soldier, seemed to anticipate the postwar expansion of American education, from primary and secondary schools to undergraduate and graduate programs at universities.

The Houston program was one of many inaugurated by the Hogg Foundation, which by war's end articulated its mission in expansive terms. "Everywhere," wrote Sutherland in 1945, "there are basic problems of human

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the Lake College in San Antonio offered an MSW degree before 1950, and Sutherland had helped initiate that program.

[96] The subsequent discussion draws from two curriculum guides, both dated 1944-1945: "In-Service Training Courses for Teachers" and "Educational Courses." Hogg Papers.

relationship. They appear in the growing-up difficulties of children, in the quest for harmony within families, in the conflict between social and economic groups, and in the personal failure and maladjustment of some adults."[97] So intent on spreading this message was Sutherland that he became "a circuit-riding preacher for mental health," crisscrossing the state by automobile for several years to deliver talks to audiences large and small.[98] Under the Hogg Foundation banner, Sutherland sent UT professors into small towns and cities throughout the state to lecture on mental health to local chapters of the Rotary Club, the Junior League, the Chamber of Commerce, the Parent-Teacher Association, and the Young Men's and Women's Christian Associations. A "demonstration program" brought guidance counselors to El Paso's junior and senior high schools. Another project trained counselors for North Texas State College. The foundation sponsored mental health workshops for teachers in San Antonio, Houston, Alpine, San Marcos, Kingsville, Denton, and Austin. Renowned speakers occasionally gave these presentations. E. Franklin Frazier addressed black collegiate audiences in Galveston and Austin in 1946; Margaret Mead lectured on the state of the American family to the Dallas Council of Social Agencies and the Houston Family Service Bureau in 1948.[99] In its first decade and a half of existence, the foundation sponsored over two hundred lecturers and reached "well over a million people."[100]

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[97] Robert L. Sutherland, *Essentials of a Community Mental Health Program: Tentative Guideposts for Community Planning* (Austin: Hogg Foundation for Mental Hygiene, November 1945).
[98] Author interview with Wayne Holtzman, *supra* note 46.
[99] Elizabeth F. Gardner, "Annotated List of Lecturers and Consultants for the Hogg Foundation, 1941-1956." HF Papers.
[100] Memo, Sutherland to Hogg Foundation advisors, 9/29/1953. Sutherland Papers.

Occasionally such endeavors forged unlikely interracial and inter-ethnic cooperation, suggesting an inclusive model of "community mental health" that undoubtedly reflected Sutherland's racial liberalism. The Hogg Foundation became closely involved with the program of the West Side Community House, a settlement house opened in Austin's black Clarksville neighborhood in 1945. Run by and for African Americans, the house offered marriage and parenting classes, a well-baby clinic, daycare, a preschool, an afterschool program, and job training for teenagers. Photos from its 1949-1950 program emphasized "inter-racial goodwill," displaying white UT volunteer workers, Hogg Foundation consultants, and day-to-day activities of various programs.[101] Another intriguing program sent UT speech therapist Jesse J. Villereal to Houston and Beaumont several times between 1944-1954. There he led clinics for special education teachers, health officials, and parents on speech and hearing disorders.[102] His impact on largely Anglo audiences seems to have been profound. "Now I can see that there is something to this speech correction work and that it needs a trained person," admitted an impressed Houston assistant superintendent to reporters. Villereal "opened the eyes of many," effused one parent in a letter to Sutherland.[103]

By the late 1940s, the foundation's public relations campaign began to give way to institution building activity. In 1948, Sutherland founded the

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[101] "Program of Community Activities for 1949-1950," West Side Community House, Inc. HF Papers.
[102] Jesse J. Villereal, "Summary of Activities on Trip, January 18-21, 1950, Under Sponsorship of the Hogg Foundation, to Visit Local Programs in Speech and Hearing Therapy in the Houston-Beaumont-Galveston Area," February 8, 1950. HF Papers.
[103] "Special School Problems Cited – 50 Persons Hear Dr. Jesse J. Villereal of Texas University Speak," *Beaumont Enterprise*, January 21, 1950, news clipping; letter, Sadie Aaron to Robert Sutherland, April 17, 1944. HF Papers.

Conference of Texas Foundations and Trust Funds, an umbrella organization that facilitated communication between professionals and philanthropists. Its main event was an annual meeting of representatives from government agencies, national foundations, community groups, and research universities. Federal agency heads, renowned experts, and state governors regularly delivered keynote addresses and held sessions on public policy. Programs featured interdisciplinary panels, often with physical and biological scientists alongside their counterparts in the "soft" sciences, discussing the politics and uses of foundation monies. By 1956, the organization had grown large enough to become the Conference of Southwest Foundations, a reflection of both the increasing number of philanthropic foundations in the region and Sutherland's ability to unite them in a network of professional reform.

Sutherland envisioned the Hogg Foundation as a regional version of the Rockefeller or Carnegie foundations. Accordingly, its educational priorities shifted from small community-based workshops to graduate research and education at UT. To attract top students, the foundation supported research with modest "seed" grants that ideally would attract much larger funds from national foundations. By 1958, the foundation devoted half of its budget to academic research, fellowships, salary supplements to attract "outstanding" faculty to UT, and travel scholarships. That same year, Hogg grant recipients parlayed $80,000 in startup funds into over a million dollars worth of grants from the Department of Education, the National Science Foundation, and the National Institute of Mental

Health. The strategy yielded seventeen full fellowships from the National Institutes of Health that year, compared to none only a few years earlier.[104]

On the public policy front, the Hogg Foundation played a leading role in statewide mental health reforms. It lobbied on behalf of the first bill to allocate state funds to community mental health clinics (1957), and another that created the Texas Department of Mental Health and Mental Retardation (1964). A key moment in the political debate over the 1957 bill was the appearance of psychiatrist William Menninger before a joint session of the Texas legislature. Menninger was a personal friend of Robert Sutherland and had served on the Hogg Foundation advisory board. More importantly, he was probably the most well known American psychiatrist in the 1950s and a leading advocate for the replacement of large institutions with outpatient clinics in the treatment of the mentally ill. Menninger's speech, entitled "Brains Before Bricks," was nearly identical to one he had given two years earlier at a Conference of the Southwest Foundations meeting.[105] Increase the number of trained psychiatric social workers, he urged legislators, rather than build annexes on crumbling asylums, and Texas could offer cheaper, efficient, and more humane treatment to the mentally ill.[106] His speech garnered "wild applause" from legislators and newspaper editors.[107]

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[104] Robert L. Sutherland and Wayne Holtzman, *The Unfolding of an Idea* (Austin: Hogg Foundation for Mental Health, 1958).
[105] Program for the Seventh Annual Conference of Texas Foundations and Trust Funds, April 19-20, 1955, Dallas, Texas. Sutherland Papers.
[106] "Outline of the Remarks of William C. Menninger, M.D., to the Texas State Legislature, Austin, Texas, February 12, 1957." Sutherland Papers.
[107] "Expert Asks for Fair Shake for State's Mentally Ill," *Austin Statesman*, 2/12/1957; "Time to Buy Both Bricks and Brains," *Dallas Morning News*, 2/15/1957. News clippings, Sutherland Papers.

This success story implies a general departure from the issues of children and adolescents, the original client base and justification for the field of mental health. In the postwar era, young people became symbols for the problems with existing institutions as well as the hopes of reformers. Only in the pages of research monographs did the Hogg Foundation direct attention specifically to "youth problems." In a series of studies executed in the late 1950s and early 1960s, Hogg researchers combined the quantitative methods of postwar sociology with the theories of ego psychiatry. Studies of "normal" children provoked controversy among parents uncomfortable with methods normally reserved for "deviant" groups. Meanwhile, a major study of Mexican, Mexican American, and Anglo teenage boys attempted but failed to live up to its ambitions to be a truly "cross-cultural" comparison. Both endeavors grappled with Cold War politics and the all-encompassing standard of the "normal" middle-class white teenager.

III. Constructing the "Normal" and "Deviant" Teenager

During World War II, the Hogg Foundation had functioned as a state clearinghouse for published materials on juvenile delinquency. It had disseminated pamphlets with titles like "Preventing Wartime Delinquency," "Our Kids Are In Trouble," and "Schools to the Front – In Delinquency Prevention."[108] Echoing the Depression-era youth problem, the wartime delinquency scare highlighted troubled teenagers who would otherwise be middle-class. While government officials warned of ever-increasing teenage crime, mental health experts more optimistically described it as a temporary problem easily solved

[108] Hogg Foundation mailers, October 1943 and February 1944. HF Papers.

with psychologically informed social engineering. By the end of the war, Sutherland stated as much, calling delinquency a "periodic" concern and implying that faddish worries about teenagers would fade with expected postwar prosperity. Furthermore, the inclusion of mental health principles in schools, recreation programs, marriage and parenting classes, and community clinics represented long-term delinquency prevention. "[G]eneral mental health knowledge and education" stood a better chance of effecting change, sniffed Sutherland, than "a passing interest" in juvenile delinquency.[109]

The study of personality development further drew the Hogg Foundation toward the internal dynamics of adolescence rather than the social and interpersonal conflicts that "damaged" young people. In a singular example of this emphasis, UT professor of human relations and sometime Hogg Foundation researcher Carson McGuire joined Erik Erikson on a panel entitled "Crucial Conflicts in Personality Development in Youth and Young Adulthood" at the Midcentury White House Conference on Children and Youth. The occasion marked Erikson's first significant public statement of his influential concepts of identity formation and diffusion, which McGuire built upon by describing the "positive psychological independence" that teenagers drew from peer groups.[110] McGuire went on to advise the foundation's first major research project on young people, the Texas Cooperative Youth Study, which involved nearly thirteen thousand high school students and a team of thirty researchers. The study's

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[109] Sutherland, *Essentials of a Community Mental Health Program*, 15.

[110] *Proceedings of the Midcentury White House Conference on Children and Youth, December 3-7, 1950* (Raleigh, NC: Health Publications Institute, Inc., 1951), 266-268. On Erikson's talk, see Lawrence J. Friedman, *Identity's Architect: A Biography of Erik H. Erikson* (Cambridge: Harvard University Press, 1999), 220-229.

principal investigator, Bernice Milburn Moore, was a longtime advisor for community projects funded by the Hogg Foundation. Moore and UT psychologist Wayne Holtzman designed attitude scale tests in which questions were broken into fourteen categories measuring young people's feelings about American society, schoolteachers, parents, and peers. Additionally, the scales attempted to tease out personal characteristics such as authoritarianism, conformity, level of self-esteem, and resentment of "dependency" upon adults. Moore then correlated the results with social survey data on the family and household, a method common in postwar social scientific research. To quantify shared attitudes and psychological traits into a composite portrait, thought leading academic experts, was to explain the workings of the "social structure." Often this approach yielded self-evident conclusions celebrating the behaviors of successful groups and individuals as "well-adjusted," and characterizing the resentments and pessimistic outlooks of others as signs of psychological "maladjustment."[111]

Such unexamined assumptions saturated the Texas youth study. Its main thesis was that families "remain the major agents in the socialization of the young and... the paramount institution in society for the transmission of culture."[112] While this statement was hardly controversial in a society that relentlessly valorized the nuclear family, it was accompanied by data tables that suggested children with two working parents suffered no less than those headed by a male breadwinner. However, this qualification squared easily with the study's

[111] Theodor Adorno et al., *The Authoritarian Personality* (New York: Harper, 1950), is among the best-known examples of scientific studies that attempted to quantify emotions and behaviors, and to connect them to socioeconomic groups specifically.
[112] Bernice Milburn Moore and Wayne H. Holtzman, *Tomorrow's Parents: A Study of Youth and Their Families* (Austin: University of Texas Press, 1965), 3.

conclusion that the most "healthy" teenagers came from families in which both parents had achieved high levels of education and occupational status. The substitution of "status" and "income" for "class" expressed an aversion to social conflict, even in a chapter devoted to the outlooks of African American and Mexican American teenagers. Overly optimistic descriptions of the eradication of racial inequality "well under way" not only belied the bitter persistence of school segregation but also encouraged pathologizing analyses of data from teenagers of color, as well as working-class whites.[113] Here the contrast with the American Youth Commission caste and class studies is instructive. Where pessimistic expectations for adulthood, negative views of "society," and suspicions of adult authority once had inspired criticisms of social inequality, here they simply reflected individual and group "maladjustment" to easily attainable and presumably desirable middle-class and implicitly white norms. Thus high delinquency rates among these groups reflected not structural racism or class inequality but families "broken" by divorced or poorly educated parents.[114]

However much the study seemed to comport with the dominant consensus on the causes of racial inequality in Texas, it nevertheless provoked angry

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[113] *Ibid*., 114.

[114] *Ibid*. General conclusions are summarized on 8-9. For specific data on black teenagers, see 113-128; on social class and education, see 255-278. The book has a schizophrenic quality because the data collection took place in 1955-56, but the book did not see publication until 1965. Therefore its framework is very much guided by 1950s' psychology while it occasionally adopts sociological theories published later. For example, the final chapter ends by abruptly turning to "opportunity theory" to explain why certain families failed to socialize their children into "normal" middle-class society. Richard A. Cloward and Lloyd E. Ohlin, *Delinquency and Opportunity: A Theory of Delinquent Gangs* (Chicago: University of Chicago Press, 1960). Compare these nods to social conflict with an earlier publication of the study's results for a truer picture of the authors' theses. Holtzman and Moore, "What Texas Knows About Youth," *National Parent-Teacher* (Sept 1958), 22-24.

reaction in at least one major city. The controversy that erupted in May and June 1959 over the Houston Youth Study was largely an artifact of ultraconservative politics. By the late 1950s, Houston had become a center for an "anti-mental health movement" led by John Birchers and self-described "Christian anticommunists." The local far right controlled a majority of seats on the Houston school board, where massive resistance to school integration competed for attention with purges of "reducators" and "subversive" textbooks. Against this backdrop, a survey questionnaire circulated among high school students that asked pointed questions about taboo subjects such as sex, race relations, social class, adult authority, and patriotism. Additionally, the study's authorship bore the twin stigmas of the outside agitator and the large, yet shadowy, liberal bureaucracy.[115]

The official sponsors of the Houston Youth Study were the American Institute of Research, the Hogg Foundation, and the Child Welfare Section of the Houston Community Council.[116] These three agencies later became easy targets for ultraconservatives. Housed at the University of Pittsburgh, the AIR fit neatly

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[115] The anti-mental health movement's most prominent spokesman was Matt Cvetic, former "Communist for the F.B.I." See Daniel J. Leab, *I Was a Communist for the F.B.I.: The Unhappy Life and Times of Matt Cvetic* (University Park, PA: Pennsylvania State University Press, 2000), 120-123. Documents from the period include: Matt Cvetic, "The Mental Health Goldbrick," *The American Mercury* 88 (March 1959), 123-126; Margaret L. Hartley, "Whose Mental Health? The Psychology of Suspicion," *Southwest Review* 46:4 (Fall 1961); and numerous handbills and brochures collected in HF Papers. On Cold War politics in Houston, see Don E. Carleton, *Red Scare! Right-Wing Hysteria, Fifties Fanaticism, and Their Legacy in Texas* (Austin: Texas Monthly Press, 1985); on the Houston school board, see especially William Henry Kellar, *Make Haste Slowly: Moderates, Conservatives, and School Desegregation in Houston* (College Station: Texas A&M University Press, 1999).

[116] Unless otherwise noted, the following vignette comes from these reports written by Wayne Holtzman, Associate Director, Hogg Foundation: "The Nature and Purposes of the Houston Youth Study," 6/12/1959; and "Interim Report of Houston Youth Study," 6/26/1959. HF Papers.

into conspiracy theories about Northern liberal intellectuals scheming to turn the South's white children against their parents. Similarly, at least one far-right newsletter dubbed the Hogg Foundation "an institution noted for its assistance to left-wing movements."[117] The Houston Community Council, meanwhile, was torn with factional struggle after the controversy broke out. Its wealthy benefactors and their wives (some of whom sat on the school board) opposed the release of the test data, which had been collected by the social workers, academics, and clinicians who served on the Council's Child Welfare Section. Further angering conservatives, the committee that coordinated the survey seemed a false veneer of local control concealing puppet-masters from afar.

The study committee's statement of purpose indirectly evoked the national crisis in education that had surfaced after the 1957 Soviet launch of Sputnik. It cited "the great loss to society of the countless thousands of youth who fail... to realize their full capacities for learning and achievement." Lest critics think the investigators sought to isolate the South or invoke regional stereotypes, the statement included "national and regional" borders, and both "gifted youth" and "delinquents." Furthermore, the study "combat[ed] juvenile delinquency on a community-wide level." Student test-takers found in their booklets repeated assurances of anonymity whose conspicuousness suggested an awareness that researchers had ventured in politically treacherous territory.

The survey included only one section testing scholarly aptitude: a vocabulary quiz. The AIR contributed two sections, one in which students listed

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[117] "Subversive Program Sneaked Into Houston Schools Is Thrown Out by Irate Parents," *The Southern Conservative* (undated, probably summer 1959). News clipping, HF Papers.

their preferred occupations and leisure activities, and another that measured personality scales for desirable traits like assertiveness, sociability, and self-reliance. None of this material drew public criticism. The Youth Attitude Scales section, lifted nearly verbatim from the Texas Cooperative Youth Study, drew the lion's share of attention. Researchers had viewed this section as potentially shedding unique light on student struggles to make good grades, while opponents singled out the intrusiveness of the questions. Defenders of the study explained the ten attitude scales based on student responses to "personal" statements as responding to "the urgent need for more scientifically sound information dealing with how youth feel about themselves, their families, schools, and associates."[118]

The objections to the test were both more numerous and expressed in common sense language. For one thing, the booklet required significant school time to complete; indeed, the vocabulary section alone included over three hundred multiple-choice questions. The student information section asked for schedule data on family income, school attendance, religion, housing, gender, age, household size, race and ethnicity, health, and future plans for education. The Youth Attitude Scales section asked students to agree or disagree with a series of statements, a sampling of which appears below:

[118] "The Nature and Purposes," HF Papers.

Most teachers are too rigid and narrow-minded.

A person should insist on his rights no matter what.

In spite of what some people say, life for the average person is getting worse, not better.

We ought to worry about our own country and let the rest of the world take care of itself.

Housekeeping in our house is disorderly.

My parents rarely go to church.

I am never able to discuss problems confidentially with either of my parents.[119]

Such interrogatories outraged conservative parents and school activists. They imagined ninth-graders as existing somewhere between childhood innocence and adolescent awareness, unsuitable subjects for suggestions more likely to appear in film noir than a school survey. So impressionable were their children, insisted some parents, that the barest exposure to critical viewpoints was more likely to encourage rather than forestall delinquency. But the strongest objections were to the survey's perceived invasion of privacy. "It seems that no family skeleton is safe from the sociologists anymore," sighed an editorial in the *Houston Chronicle*.[120] Opposition along these lines reached a boiling point shortly after the testing took place, when several dozen parents organized against the release of the test data. They appeared at a televised session of the school board,

[119] Houston Youth Study test booklet, dated April 1959. HF Papers.
[120] Editorial, *Houston Chronicle*, 6/10/1959. News clipping, HF Papers.

where they joined right-wing members in denouncing the study and demanding the destruction of its results.[121]

The anger perhaps reflected resentment at intrusive social scientists, an inappropriate waste of school time, or the parading of adult cynicism before vulnerable young minds. But another explanation obtains, one that went unstated throughout the controversy: The youth attitude scales section included a set of questions about prejudice, which surely touched a nerve, given that integration had galvanized bitter resistance from Houston whites. These entries asked students to describe their feelings toward "Anglos and Latins," the elderly, and the mentally ill. Mentioned specifically in neither official reports nor mainstream newspaper articles, the questions appear only in the test booklet retained in the Hogg Foundation's historical archives.[122] It seems unlikely that the Houston school board could have been unaware of the expert consensus holding prejudice as a psychological disorder, given the prominent support for desegregation among mental health experts. Indeed, the lone board member to cast a vote in support of the study, Hattie Mae White, was also its only African American member. Several times in the late 1950s and early 1960s, White dissented from school board plans to delay integration. In an unexpected irony, a study whose results papered over ugly desegregation battles had incited anger for its perceived integrationist sympathies, with its only defender an eyewitness to massive resistance tactics.[123] Indeed, the Houston brouhaha seems a likely explanation for the evasive

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[121] *Houston Press*, 6/4 – 6/6/1959. Untitled news clippings, HF Papers.
[122] Houston Youth Survey test booklet. HF Papers.
[123] On White, see Kellar, *Make Haste Slowly*, 109-112.

discussion of race in *Tomorrow's Parents*. Experts who viewed prejudice as a psychological component of a backward "authoritarian personality" surely felt vindicated when the Houston Youth Study's local chairperson bowed to pressure by burning the test data in front of reporters. When one child welfare expert characterized the incident as "book burning" by anti-intellectual zealots, he likely spoke for most of the study's architects.[124]

A quite different reaction greeted the 1969 publication of *Delinquency in Three Cultures*, a study of teenage boys in Monterrey, Mexico, and San Antonio, Texas. An advertisement touted the book as a pioneering cross-cultural study that promised to explain the causes of delinquency among teenagers from the "culture of poverty." Indeed, its authors included American professors of psychology and sociology, and a lawyer and sociologist from Mexico City. But *Delinquency in Three Cultures* attracted almost no critical attention within the relevant disciplines, and seems to have made no discernable impact on social policy. A lone review in the *American Journal of Sociology* panned it as a disorganized mess; to its concluding suggestion for "multi-factor approaches" to delinquency, the reviewer replied: "One hopes this call will be resisted."[125]

Delinquency in Three Cultures was based on data gathered in 1959-1961, from teenage boys aged 13-17. The boys were broken into three ethnic groups, hence the "three cultures:" Mexican boys in Monterrey; Mexican American boys in San Antonio; and Anglo boys in San Antonio. All of the boys came from working-class neighborhoods. Researchers located half of the boys through the

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[124] "Interim Report," HF Papers.
[125] Review, *American Journal of Sociology* (May 1969).

local juvenile court, the other half through the neighborhood high school.[126] Rosenquist, who was the principal investigator, decided early on that individual interviews were "too difficult." He lacked an adequate number of Mexican American research assistants, and in any case, he felt that the boys' "lack of verbal facility," short attention span, and "natural" defensiveness and dishonesty rendered interviews too expensive and time-consuming.[127] Instead, he substituted standardized intelligence and psychological tests that could yield "objective, readily quantifiable sets of data" cheaply, efficiently, and consistently.[128] Compounding this curbing of methodology to suit existing skills and expectations, the tests were administered by bilingual Anglo students from UT – hardly a formula for inspiring trust in Mexican and Mexican American informants given the fractured history of Anglo-Mexican relations in Texas.

Rosenquist's shortcuts around language barriers undermined the validity of even these tests.[129] For example, the research design included the use of Wechsler intelligence scales for children (ages 11-15) and adults (ages 16-up); however, only the children's version was available in Spanish. Rather than simply pay someone to translate the adult scales, Rosenquist used the Spanish children's test and the English age-graded tests, which inevitably resulted in skewed comparisons between the "cultures." A similar problem surfaced during administration of the Card Sort Test, in which boys read statements printed on

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[126] Carl M. Rosenquist and Edwin I. Megargee, *Delinquency in Three Cultures* (Austin: The University of Texas Press, 1969), preface and 127-129.
[127] *Ibid*., 131.
[128] *Ibid*., 132.
[129] *Ibid*.; the following discussion of methodology comes from pp. 136-142.

140 cards, then wrote either "true" or "false" on the reverse side. Some of the boys could not read in either language, and so research assistants read each statement aloud and dutifully took down responses, a practice that defeated the aim of eliciting the boys' unfiltered views by having them complete the exercise alone. A majority of the Mexican and Mexican American "delinquent" boys expressed a general disrespect for adult authority, particularly their fathers. That the study deemed these "expected" results of "disorganized families" only added to the sense of a set of premises comprising a self-fulfilling prophecy.[130]

Given the above circumstances, it is hardly surprising that the Cartoon Test received extensive use (see figure 4). Here the boys viewed cartoon images gauging their impressions of how their parents might react to troubling teenage behaviors. For example, one cartoon features a faceless boy holding a burning cigarette behind his back while confronting his father; the caption reads "What Does the Father Say?" The boys filled in an empty word balloon above the father. A separate panel offered an identical exercise for boys to relate or speculate on their mothers' reactions. Overlooking the possibility that visual cues as well as language might provoke distinct readings from the boys apart from their "delinquent" qualities, Rosenquist thought this test "well-suited to cross-cultural studies."[131] This test yielded the uncontroversial claim that fathers were "crucial agents of socialization" for boys across cultural boundaries.[132] It further found that the parents of nondelinquent boys were more likely to explain the reasons for

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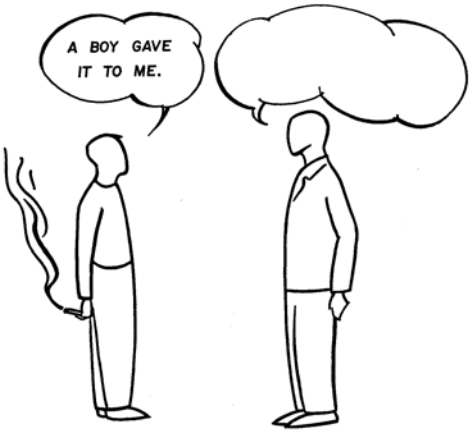
[130] *Ibid*., 304-307.
[131] *Ibid*.; the book reproduces the cartoon tests on pp. 310-328.
[132] *Ibid*., 331-333.

household rules, while the fathers of delinquent boys (especially Mexicans and Mexican Americans) meted out immediate and harsh punishments without explanation.

Figure 4: Cartoon Test, *Delinquency in Three Cultures* (1969)

The Hogg Foundation sponsored this study in the hopes of publishing a groundbreaking intervention in cross-cultural comparisons of juvenile delinquents. However, the study relied on standardized tests such as this one, limiting it to well-worn results.



WHAT DOES THE FATHER SAY?

Figure 6. The cartoon "The Cigarette," father version.

WHAT DOES THE MOTHER SAY?

Figure 7. The cartoon "The Cigarette," mother version.

As if these conceptual problems were not enough, Rosenquist further compromised the study by losing much of his data – the "individual protocols" - during a move from Texas to California. The Hogg Foundation was left with only aggregate responses and no certainty of publishable results. Years later, the foundation hired UT psychology professor Edwin Megargee to finish the manuscript. Megargee's credentials included a stint as a clinical psychologist at

the California Youth Authority, a state agency that worked with juvenile delinquents. The remaining data limited Megargee to comparisons of the aggregate results for the "delinquent" and "non-delinquent" groups from each of the prospective "three cultures," rendering the study "correlational" rather than cross-cultural.[133] Forced to draw comparisons of faceless numbers that he did not compile himself, Megargee struggled to locate the study in the academic literature of delinquency. Indeed, the book's literature review and conclusion sections offer a hodgepodge of existing theories without clearly connecting them to the "three cultures."

Megargee contended that the "northeastern" bias of scholarly models had constructed universal theories that overlooked differences between "the punk in Boston... pachuco in Phoenix... Teddy Boy in London... Thunder Boy in Tokyo... Halbstorken in Berlin... Stiryagi in Moscow."[134] This list implied an intent to borrow from the "area study" and its emphasis on regional cultures; however, "culture," in the hands of this essentially cliometric study, meant only the fact of ethnicity, residence, and national identity. It hypothesized that the Anglo boys would resemble "typical" white teenagers elsewhere; "Latin" boys would fit Chicago-school models of cultural conflict, most recently updated in Albert Cohen's "delinquent subculture" and Robert Merton's "anomie;" and Mexican boys would present a brand new paradigm.[135] Yet this premise was nowhere in evidence in Megargee's analyses of even the available data. For example, he

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[133] *Ibid*., 147-148.
[134] *Ibid*., 104.
[135] *Ibid*., 105-106. Albert K. Cohen, *Delinquent Boys: The Culture of the Gang* (Glencoe, IL: The Free Press, 1955).

found that lower socioeconomic status correlated with higher delinquency among Anglos but not the other two groups. In fact, the opposite obtained for Mexican American and Mexican delinquent boys, whose parents tended to be better educated and hold "higher status" occupations. But Megargee made nothing of this information except to note its "inconsistency" with other studies.[136]

Instead of highlighting such anomalies, Megargee resorted to the brand of universal theorizing that he earlier had purported to contest. He found the "delinquents" from all three groups to be products of the pathological "culture of poverty," and even claimed to discover a near-identical "culture of delinquency." Megargee cited the inability to defer gratification, the lack of "an intact home or parents," and lowered expectations for the future, as overlapping characteristics.[137] These conclusions were based upon suspect and even contradictory data, but they comported closely with the prevailing opinion of social scientists and national policymakers.

Another important consequence of the missing data was the absence of significant qualitative evidence; compelling anecdotes were relegated to a single appendix section hundreds of pages into the book. This feature proved a shortcoming that rendered the study out of date by the time of its publication. During the extended period between the research and publishing phases of the study, social scientists had begun to emphasize more ethnographic methods over strictly quantitative approaches to the human condition. By the late 1960s, self-styled "urban anthropologists" were producing monographs based upon lengthy

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[136] *Ibid*., 206-207.
[137] *Ibid*., 463.

participant-observation in ghettos and barrios, much as cultural anthropologists studied so-called "primitive" tribal cultures in Third World countries. Although theories of pathology distorted their interpretations, they signaled a return to the ethnographic methods of interwar social science, as well as a growing desire to let their subjects speak for themselves. In this intellectual climate, *Delinquency in Three Cultures* was a relic of a discarded methodological past.

Conclusion: "Personality" and Historical Change

During the Great Depression, the nation was swept by a fear of young people displaced by economic disaster. Policymakers defined a "youth problem" by the lack of educational and economic opportunity afforded to working- and middle-class, as well as African American adolescents. At the same time, social scientists at the American Youth Commission discovered that adolescents were especially vulnerable to emotional damage, illustrating this point by looking at the most extreme examples available – young blacks in the American South. They isolated adolescence as a time of "personality development," a time of maturation into the rational adult citizen. Unintentionally, the "caste and class" studies introduced a scientific discourse of "development" that linked childhood with impoverishment and adulthood with modernity, resulting in decades of inquiry in which entire communities, ethnic and racial groups, and even nations were portrayed as childlike. Only expert guidance could lead them from the premodern wilderness of their collective childhoods. This connection was made clearer in community efforts to "end" delinquency and poverty, the subject of the next chapter.

After studying the South from a distance, Robert Sutherland decided to take an active role in modernizing social services in the region. At the Hogg Foundation for Mental Health in Texas, he popularized the idea of "community mental health," helped legitimize academic departments of social work, and expanded the financial resources for social services and related research. Mental health built much of its reputation on the movement for child guidance clinics and their shared claim to prevent juvenile delinquency. The presumed innocence of children made the vulnerability of adolescents seem all the more urgent, especially with the expansion of the middle-class and the baby boom after World War II. These social changes heralded important shifts in the ways mental health experts defined youth problems. Where once Robert Sutherland had detailed how economic distress or Jim Crow racism could disrupt an individual's coming of age, or "personality development," the Hogg Foundation's study of Texas high schoolers in the 1950s located adolescent unhappiness in the turbulence of the life stage itself, or in family dysfunctionality. Even this seemingly quintessential Fifties analysis produced controversy; middle-class parents in Houston disliked the implication that they and their children might suffer from symptoms of pathology, and embraced right-wing conspiracy theories about the field of mental health.

The Hogg Foundation's two major studies of youth reflected the growing national obsession with psychological explanations for teenage misbehavior. In the guise of "culture," similar modes of analysis categorized working-class and nonwhite young people as "pathological" – a logical but hardly inevitable

descendant of earlier diagnoses of the "damage" wrought by racism. Where Sutherland earlier had blamed society, postwar analysts blamed the "victims" and their families. Like their national counterparts, they separated the perpetrators of less serious "teenage" antics from presumably hardened juvenile delinquents. As social science moved away from telling the teenagers' "own story" in the name of social reform, it embraced psychological categories and quantitative analyses of so-called "normal" young people – often defined negatively by what they were not. Postwar studies rarely took a compassionate interest in their subjects; it is difficult to imagine a quantitative sociologist finding much value in the documentary photographs that appeared in *Color, Class, and Personality*. And yet even humanistic researchers were affected by the methodological changes in their disciplines, which encouraged the potential for generalization in the concept of "personality." Too often, researchers measured a healthy coming of age as a kind of photographic negative; the well-adjusted adolescent conformed to values and ambitions that were themselves rarely, if ever, subjected to interrogation. Texas experts personified the path by which psychological categories overshadowed environmental ones, even within social scientific disciplines and in the thought of individual intellectuals whose careers spanned the heydays of both the Chicago school of sociology and the postwar community mental health movement.

The borders of "youth problems" thus shifted dramatically after the Great Depression. They expanded to include young people from practically every social background, yet tightened around increasingly standardized explanations. Furthermore, etiology became tethered to class and race in ways that were buried

deeply beneath scientific discourses. Troubled teenagers came from "good families" in need of minor repair; hardcore juvenile delinquents, on the other hand, were trapped in a "delinquent subculture" from which only a massive institution such as the federal government or the juvenile justice system might salvage them.

The advent of "child mental health" thus proved a mixed blessing. Only a hardened ideologue would deny the benefits that have accrued from expanded access to clinical treatment, heightened sensitivity to the needs of mentally ill schoolchildren, and increased knowledge of emotional disorders. Undeniably, however, psychologically informed experts at times have shown a tendency to analyze teenage troubles – including those clearly affected by the political allocation of social resources – solely as products of individual and family disorders. Political economy was hardly unknown to mental health professionals, who spent a large part of their own time scraping together funds for their disparate endeavors. As the contours of American youth problems expanded, however, attention to the individual waned in favor of mass diagnoses. Their broader lens left experts to "fix" teenage troubles rather than question the reasons for them.

Chapter 3: *The Urban Ghetto as a Reform School: From Settlement House to Community Action in Houston, 1943-1967*

On 21 August 1944, the *Houston Post* editorial page featured the latest in what had been a series of diatribes against Mexican American youth gangs. The feature editorial condemned "swarthy mobsters" for leading an "outbreak of shooting, knifing and slugging."[138] It lamented the seemingly tepid police response, particularly the creation of a "Latin American" squad comprised of "four or five policemen" whose assignment was to police some "25,000 to 30,000" Mexicans and Mexican Americans. Reminding readers of a series of reported murders and assaults emanating from Houston's barrios, the editorial warned that "Mexican" youth gangs had increased their activities in the previous year.[139] Statistics suggest a somewhat misplaced focus on Mexican American teenagers; in 1943, Anglo and African American juvenile crime led in sheer numbers, while Anglo and Mexican American crimes each had roughly tripled from the previous year.[140] In fact, the media hysteria was a response not only to local violence, but also to national reports of the zoot suit "riots" in southern California in May and June of 1943. At the time, the *Post* had run feature stories replete with photographs of California's young would-be "gangsters" in oversized suits.[141] So concerned were the local police that they conducted mass arrests of

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138 "Mexican-American Gangs," *Houston Post*, 8/21/1944, p.6.
139 "Slaying in Cafe Here Is Laid to Gang Activity," *HP*, 1/11/1943, p.1; "Six Charged Here on Murder Count," *HP*, 3/27/1943, p.2.
140 "Juvenile Delinquency in Houston: A Preliminary View," *Social Statistics* (Houston Council of Social Agencies, December 1944), 10. Publication box of the Houston Community Chest and Council (hereafter HCC), Houston Metropolitan Research Center (hereafter HMRC).
141 "Zoot Suit Riots," *HP*, 6/9/1943, p.1; "Teen-Age Gangsters," 6/10/1943, *HP*, p.8.

young black and Latino men, in what we would now recognize as gang sweeps.[142] As it reported raids on honky-tonk bars and dance halls, the *Post* clearly enunciated the "otherness" of police targets: "Such alien hoodlums must not be permitted to drive up and down the streets of Houston, like imitation Chicago wop gangsters, shooting, cutting, and beating people."[143] Like-minded readers surely saw these views confirmed when, a month later, a "gang" of Mexican American teenagers was charged with stabbing an "attractive blonde" teenage girl and assaulting her boyfriend on a city bus. Later, an attorney for the presumed gangbangers told a judge that ethnic slurs and a dispute over seats had provoked the incident. It is easy to imagine the scene: a crowded bus, a history of Anglo privilege, a hissed insult or two, and a violent response.[144]

Although the *Post* ventured no specific explanation for this supposed crime surge, its reportage implied, if not openly advocated, some sort of "racial" deficiency of character. During World War II, the *Post* routinely noted the race or ethnicity of accused offenders – particularly if they were not white - in reports of juvenile crime. While black newspapers such as the *Houston Defender* refuted the stereotyping of young people of color as inherently criminal, individual citizens occasionally vented their disagreement on the letters page of a mainstream newspaper like the *Post*. One incensed respondent, who identified herself as a "citizen of Mexican extraction," recast the boys' actions as assertions of dignity:

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[142] "County Grand Jury Recommends Stricter Control of Honky-tonks," *HP*, 12/1/1942, p.6; "Roundup of Youths Suspected of Being Petty Gangsters Begins," *HP*, 1/17/1943, p.7; "42 Boys, Many Carrying Knives, Arrested Here," *HP*, 6/13/1943, p.1; "Zoot Suiters at Negro Dance," *HP*, 8/5/1943, II, p.7. The classic scholarly account of the zoot-suit riots is Mauricio Mazon, *The Zoot-Suit Riots: The Psychology of Symbolic Annihilation* (Austin: University of Texas Press, 1984).

[143] "Mexican-American Gangs," supra note 1.

[144] "Two Girls, Boy Given 60 Days Each in Gang Assault Charge," *HP*, 9/23/1944, p.6.

> We also realize, and wish others would too, why these boys have become a problem. It is a pent-up disgust against discrimination that has been with us for years. Have you ever been made to wait while a salesgirl waits on others when you were there first? Have you ever been at a restaurant and have the same thing happen? Do you know that there is at least one company that will employ those of Mexican extraction only as laborers and with no opportunity for promotion? I could fill page after page with such incidents that happen much too often to be accidents. What would you do on such occasions? Walking out is pretty good but it does not satisfy one's pride.[145]

This letter, as well as the bus incident that preceded it, expressed what historian Luis Alvarez has called the "politics of dignity" behind *pachuco* culture and even more "mainstream" Mexican American assertions of citizenship.[146] While the media consistently portrayed "Mexican" teenagers as incipient criminals, Mexican Americans and some white liberals countered with indictments of discrimination and inequality. The letter's author made the connection explicit. Should Mexican American soldiers fighting the Axis return to something other than second-class citizenship, she suggested, "their children won't have a reason to become hoodlums." This statement, of course, echoed the African American civil rights claims of the national Double V Campaign, which called for victory against fascism abroad and racism at home. More specifically, it reiterated the public assertions of Mexican American citizenship rights advanced by the G.I. Forum, and later the League of United Latin American Citizens (LULAC), throughout the American Southwest.[147]

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[145] Letter from Abigail Gonzalez Cavasos, *HP*, 9/13/1944, II, p.2.

[146] Luis Alvarez, "The Power of the Zoot: Race, Community, and Resistance in American Youth Culture, 1940-1945," Ph.D. dissertation, University of Texas at Austin, 2000, PAGES?

[147] For a brief overview of World War II's galvanizing effect on civil rights, see Ronald Takaki, *A Different Mirror: A History of Multicultural America* (Boston: Little, Brown, & Co., 1993), 392-399. On LULAC in Houston, see Arnoldo De Leon, *Ethnicity in the Sunbelt: A History of Mexican Americans in Houston* (Houston: University of Houston, 1989), 80-94.

Most of the white liberals who articulated this alternative interpretation of Mexican American teenagers, and "delinquents" in general, were affiliated in some way with the local settlement homes and recreational clubs. These sites of social reform and social uplift drew their funds from the Houston Community Chest, whose director, Elwood Street, criticized the media's depictions of "delinquent youth and delinquent families." Street's monthly newsletter, *Our Community*, touted the "training in character, responsibility and citizenship" offered at Houston's growing number of community centers.[148] The Community Chest coordinated clubs operated by Christian and Jewish organizations, YMCA and YWCA, Boy and Girl Scouts, and civic groups like the local Optimists' Club and Chamber of Commerce. Additionally, the Chest supported Houston's participation in the federal program sponsoring "teen canteens," which resulted in over 3,000 such clubs opening across the nation between 1943-1945.[149] Through these various endeavors, the Community Chest sought to create wholesome alternatives to delinquency as well as more positive images of young people for public consumption. Like-minded organizations insisted that citizens had a patriotic duty to support youth programs. As one pamphlet put it, "leadership of youth in wartime" represented "a fighting line in this total war."[150]

Elwood Street broadcast these views over the radio airwaves in a weekly program called "Little Journeys to the Homes of the Great War-Time Services."

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[148] Elwood Street, "Delinquency Begins With the Community," *Our Community* (June 1944). HCC.

[149] Downtown Houston's teen canteen, Club 506, opened in 1943 and remains privately operated today. "Teen-Agers Prepare '506' Club for Opening," *HP*, 12/5/1943, III, p.9; "More Than 200 At 506 Club Opening," *HP*, 1/9/1944, p.8. On teen canteens generally, see Grace Palladino, *Teenagers: An American History* (New York: Basic Books, 1996), 84-93.

[150] "Priorities for Youth," Houston Council of Social Agencies, November 1942, iii. HCC.

In April 1944, he introduced listeners to the Second Ward, a dilapidated industrial neighborhood just northeast of downtown Houston that was inhabited by Mexican immigrant families. Amid "an island of small unpainted, ramshackle wooden houses, unpaved streets and alleys," and "rutted channels" filled with "bluish-green, noisesome sewage from kitchen drains," sat the Rusk Settlement Home (see figure 1). Street described Rusk's playground and park spaces, arts and crafts workshops, Boy and Girl Scout meetings, teen dances, day care services, medical and dental check-ups, and academic classes. He pointedly reminded his presumed Anglo listeners that Rusk's neighbors, who helped govern the home, were "good Americans all." Bilingual teachers from the local Mexican American middle class taught English and "life skills" in classrooms adorned with traditional decor provided by the Mexican consulate, while Anglo social workers extolled the "great value in living here and making common cause with the people of the neighborhood." Rusk also schooled adult residents in the nuances of petitioning for city services such as paved streets, working sewers, adequate streetlights, and police protection. The broadcast concluded with Street urging his listeners to reflect upon Rusk's "inescapable connection with our great community." Building "the worthy citizenship of the future," Rusk's labors were important "not only in war but in peace."[151]

In Houston, then, the settlement home offered alternative constructions of inner-city youth that competed with negative images in the news media. Furthermore, it promoted solutions to the problem of juvenile delinquency beyond

[151] "A Little Journey to the Rusk Settlement," transcript of radio broadcast, Saturday, April 15, 1944. Papers of Franklin I. Harbach, HMRC. (Cited hereafter as Harbach Papers).

the usual calls for ratcheted up law enforcement. This role was hardly unique to the Rusk Settlement Home; one historian of the settlements calls them "among the first to make explicit the connection between juvenile delinquency and poverty."[152] "Child-saving" had been among the primary tasks of the first settlement homes in the United States. Jane Addams, founder of Chicago's Hull-House, wrote often of the intergenerational struggles she observed among immigrant families. She envisioned the settlement home as a place for supervised recreation to counter the commercial and illicit lures of the streets. "Recreation is stronger than vice," wrote Addams in her 1909 treatise *The Spirit of Youth and the City Streets*; "recreation alone can stifle the lust for vice."[153] Supervised recreation became integral to the programs of settlement houses, not only for its presumed ability to curb delinquency, but because it won the support and trust of anxious parents. Addams often enlisted residents to fight for reforms beyond preserving the innocence of children; she and other reformers were instrumental in campaigns for mothers' pensions, compulsory school attendance, and the juvenile court, each of which relied significantly on sympathetic portrayals of young people.[154] The Rusk Settlement Home and its allies thus drew upon a

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[152] Judith Ann Trolander, *Professionalism and Social Change: From the Settlement House Movement to Neighborhood Centers, 1886 to the Present* (New York: Columbia University Press, 1987), 162.

[153] Jane Addams, *The Spirit of Youth and the City Streets* (New York: The Macmillan Co., 1909), 20.

[154] For her description of "many pathetic cases of child labor," see Jane Addams, *Twenty Years at Hull-House* (New York: Penguin Books, 1961 [1910]), 148-168. Reformers in and around the U.S. Children's Bureau agitated for mother's pension laws in several states, culminating in the creation of the federal Aid for Families with Dependent Children program in 1935. See Linda Gordon, *Pitied But Not Entitled: Single Mothers and the History of Welfare, 1890-1935* (New York: The Free Press, 1994).

tradition of reforming both public images of urban youth and the young people themselves.

To describe Mexican immigrants as "good Americans" even as the media was demonizing them as "alien gangsters" was to echo the New Deal experts who had engineered and studied the Civilian Conservation Corps and the National Youth Administration (see chapter 2). Young people comprised an important constituency for changing, and more inclusive, definitions of citizenship during the depression and war years. Historians have studied how the arts, the social sciences, and the labor movement articulated a vision of "social citizenship" during the New Deal years.[155] Defined largely by its populist appeal and its emphasis on equality of opportunity, social citizenship was central to progressive legislation that granted the right to organize and the right to collective bargaining to a multiethnic, multiracial working-class. A national climate of unprecedented though limited racial liberalism fostered a similar outlook among urban reformers working with the children of soldiers and defense plant workers. Thus an Elwood Street could gaze toward the barrios and ghettos and see not a "deviant subculture" (as social scientists would in subsequent decades) but potential citizens whose children lacked only access to the boons of the American dream. They were children of crisis, reared during public and personal upheavals that attended immigration to a city that was growing rapidly, clinging to Jim Crow

[155] The phrase "social citizenship" comes from William E. Forbath, "Caste, Class, and Equal Citizenship," Karen Halttunen and Lewis Perry eds., *Moral Problems in American Life* (Ithaca, NY: Cornell University Press, 1998), 167-200. On the role of the arts and labor movements, see Michael Denning, *The Cultural Front: The Laboring of American Culture in the Twentieth Century* (London: Verso, 1997). For a discussion of the social sciences, see Chapter 2 of this dissertation.

segregation, and reeling under the economic and demographic impacts of depression and war.

Even as they extended the hand of citizenship, wartime reformers already had begun to divide their attention between teenagers from underprivileged and privileged backgrounds. In 1939, Rusk's parent organization, the Houston Settlement Association (HSA), opened a second settlement in southeast Houston that came to serve largely white, middle-class teenagers from the growing suburbs. Thus the HSA became well-acquainted with teenagers from virtually every social class in the city. Its continuing work in the barrio, however, illustrates the relationship between discourses of delinquency from the inner-city and the suburbs. Part One of this chapter explores the HSA as a window into the changing public perceptions of urban and suburban teenagers, relying on the personal papers and correspondence of its director, Franklin Israel Harbach. A transplant from New York's famed Henry Street Settlement, Harbach brought expertise in social work and skill in facilitating interclass cooperation. Acclaimed by the national settlement movement, Harbach redirected its attention toward Southwestern and Latin American populations. By the early 1960s, Houston had become a geographic center for a revamped American settlement movement expanding south of the border and away from its traditional roots in the physical neighborhood. Fueling this shift, in part, were psychologically derived ideas about adolescence and delinquency that transcended historical and cultural boundaries. At the same time, Rusk relied increasingly upon psychological theories to inform its work with barrio residents, constructing a "therapeutic community" as a

meliorative solution to a supposed "culture of poverty." Directly and at times by evocation, models of adolescent "development" measured urban teenagers and communities, and at times entire nations, by a normative standard based on the postwar American middle-class.

In the early 1960s, Rusk seemed poised to receive funds under historic federal initiatives to "end" juvenile delinquency and urban poverty. Instead, one of the first federal grants of this kind went to academics at the University of Houston and social workers from the Houston Community Council. Together they created Greater Houston Action for Youth (GHAY), an organization that further illustrated the growing gap between the representation and reality of juvenile delinquency. In 1962-1963, GHAY conceived a major media campaign to raise public awareness of teenage troubles. Part Two of this chapter analyzes the campaign's centerpiece, a film entitled "The Lonely Ones" that was based on actual juvenile probation cases. Although the film depicted teenagers from a variety of social backgrounds, it overwhelmingly emphasized the main cause of delinquency as psychological disorders rooted in the family. Over the subsequent three years, GHAY offered service coordination to residents of its chosen demonstration area in the guise of community action. Moreover, its central theoretical premise held that in order to transform the ghetto into a therapeutic community, a place where rehabilitation could take place, poverty warriors were best advised to view the neighborhood as a kind of juvenile reform school.

The choice to reform residents rather than institutions, and to portray teenagers through the lens of white middle-class norms, brought severe

consequences that are discussed in the conclusion. In 1966, GHAY transformed into an antipoverty agency, and simultaneously became embroiled in African American political protest centered at Texas Southern University (TSU), located in the heart of GHAY's demonstration area. Black students issued a number of demands related to discrimination in schooling; allocation of city resources; reform of the police department; and what has come to be known as environmental racism. Predisposed to view African American youth through the lens of individual and group psychology, poverty warriors proved unable to address what boiled down to political problems. City officials, too, couched their public statements about black protest in terms of psychological and cultural "deviance," as well as law and order. These tendencies were most apparent after an armed standoff in May 1967 between Houston police and TSU students resulted in the death of a white police officer. While city newspapers and elected officials raged at lawless black students, the mayor's expert advisors produced reports that described the protestors almost entirely in psychological terms. In books, reports, press conferences, and testimonials before the United States Senate investigation of race riots, Houston officials classified young blacks as "rebels without a cause" or "college revolutionaries." By then it was evident that the juvenile delinquent had become a metaphor guiding descriptions of entire communities, a way of mystifying what were often very material problems of social inequality. This invisible habit of mind gave rise to a group psychology that cast material inequality as a product of "cultural" immaturity, and political grievances as personal and group pathologies.

I. Making the Therapeutic Community: The Houston Settlement Association

On a cold winter night just before Christmas 1937, a group of people gathered for dinner at the Rusk Settlement Home in Houston's Second Ward. The occasion was the thirtieth anniversary of the founding of the Houston Settlement Association (HSA), commemorated annually with a modest banquet for Rusk employees and neighborhood residents. As Mexican American families, Anglo settlement workers, and local philanthropists sat down to dinner, they temporarily put behind them a bitter argument that had preceded the event. Members of Rusk's board of directors had argued that the time had come to "throw off the charity complex of the depression years" and charge a fee for the annual meal. "[T]he incubus of invariable charity," recalled one board member years later, sapped the principles of "self-help" and "neighborly cooperation" central to the "Settlement philosophy."[156] In a compromise solution, the board settled for the collection of voluntary donations, largely due to the protest of Rusk director Nolie Bailey. A former missionary teacher in Mexico and schoolteacher in El Paso before coming to Rusk in 1927, Bailey apparently sympathized with the area's families, who were mostly poor immigrants recently arrived from Mexico.

Having festered for decades, this type of conflict between professionals and financiers of Houston's social service agencies worsened with the coming of World War II. A "free enterprise city," Houston long had lacked publicly funded social services, leaving them to private nonprofits that relied heavily upon the local Community Chest. These relatively small-scale operations were

[156] Corrine S. Tsanoff, *Neighborhood Doorways* (Houston: Neighborhood Centers of Houston and Harris County, 1958), 42.

overwhelmed by wartime demand. As a major port city and home to oil and petrochemical industries, Houston became a center for defense plants and military bases. Job-seeking migrants flooded Houston during the war, to the tune of over ten thousand a month, according to the Texas office of the U.S. Census.[157] The city's rapid growth continued unabated after the war; between 1940 and 1960, Houston moved from twentieth to fifth on the Census Bureau's list of largest Standard Metropolitan Statistical Areas. Twice the city doubled its size through the annexation of burgeoning suburbs, in 1949 and 1956. Houston's physical expansion was not matched by a sea change in the attitudes of its political leadership toward social services. Faced with housing shortages, city fathers blocked public housing projects; enamored with unrestricted growth, they abhorred zoning as "socialistic;" suspicious of tax-financed social services, they merely tolerated private agencies dependent upon inadequate allowances from local charities; saddled with the one of the nation's highest murder rates, they steadfastly maintained the smallest police force of any big city in the nation.[158] If, as local journalist George Fuermann once noted, Houston represented an updated version of frontier capitalism, its underbelly revealed Gilded Age disparities between rich and poor. The "big rich" resided in exclusive subdivisions such as

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[157] "Workers Pour By Thousands Into City," *Houston Post*, 9/4/1942, p.1.

[158] David G. McComb, *Houston: A History* (Austin: University of Texas Press, 1981), 131-144; Joe R. Feagin, *Free Enterprise City: Houston in Political-Economic Perspective* (New Brunswick: Rutgers University Press, 1988), 43-72; Beth Anne Shelton et al., *Houston: Growth and Decline in a Sunbelt Boomtown* (Philadelphia: Temple University Press, 1989), 14-51; Robert D. Bullard, *Invisible Houston: The Black Experience in Boom and Bust* (College Station: Texas A&M University Press, 1987), 41-42, 103-104. For a comparative overview of Houston, Dallas, and San Antonio, see Char Miller and David R. Johnson, "The Rise of Urban Texas," Miller and Heywood T. Sanders eds., *Urban Texas: Politics and Development* (College Station: Texas A&M University Press, 1990), 3-29.

the tony River Oaks, while a largely nonwhite underclass languished in ramshackle industrial neighborhoods deserted long ago by "white ethnics" for the greener pastures of planned subdivisions.[159]

Competing with laissez-faire ideology for sway over public policy was a broader notion of the common good. A noteworthy variant of the New Deal emphasis on "social citizenship" was what historian Robert Fairbanks describes as the idea of "the city as a whole."[160] In his study of public housing in Dallas, Houston, and San Antonio, Fairbanks argues that urban reformers convinced skeptical publics of the interconnectedness of neighborhoods. They portrayed social ills such as delinquency and crime as contagions easily spread across the city and insisted that public housing was one of many infrastructural improvements that could stop such "diseases" in their tracks. In this spirit, the Houston Housing Authority was created in 1938 with the support of both the city council and mayor's office. It completed two housing projects each for black and white residents, but ran into tough opposition after the war. Realtors and builders led a campaign that resulted in a 1951 ordinance effectively halting any further public housing. According to Fairbanks, this action marked the redefinition of the city's traditional mission, replacing a shared social good with individual and group rights.

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[159] George Fuermann, *Houston: Land of the Big Rich* (Garden City, NY: Doubleday, 1951), 11-24, celebrates the city's "forward-looking culture" based on "individualism, independence, and indulgence" drawn from both the Old South and frontier West; he repeats these themes in *Reluctant Empire* (Garden City, NY: Doubleday, 1957). On postwar inequality, see Bullard, *Invisible Houston*; Howard Beeth and Cary D. Wintz eds., *Black Dixie: Afro-Texan History and Culture in Houston* (College Station: Texas A&M University Press, 1992), esp. the essays in Part IV; and De Leon, *Ethnicity in the Sunbelt*, 98-103.

[160] Robert B. Fairbanks, "Public Housing for the City as a Whole: The Texas Experience, 1934-1955," *Southwestern Historical Quarterly* (April 2000), 402-424: 422.

The Houston Settlement Association long had been an outpost of the "city as a whole" philosophy, beginning with a single apocryphal incident in 1903. One morning Sybil Campbell, a teacher at the Rusk Day School, found a small child sleeping on the schoolhouse steps. The child told Campbell that her mother was at work and she had to wait for her older siblings to come home from school. Long concerned for the "health hazards, moral laxness, and drab lives" of her students in Houston's East End, Campbell convinced the local branch of the Texas Federation of Women's Clubs to finance a day care and kindergarten.[161] Once "a fashionable neighborhood with good homes, fine gardens, and shady streets," the Second Ward had fallen into disrepair as European Jewish immigrants largely replaced old-stock Anglos who had moved to the city's west side, thus beginning a spatial pattern dividing upper- and middle-class whites from working-class whites and nonwhites on the east side.[162] Campbell wanted to bridge this growing divide by opening a settlement house along the lines of Hull-House, about which she was well aware. In February 1907, Campbell and a dozen of Houston's most influential women founded the Houston Settlement Association. They transformed Rusk into a "socialized school" that offered health care, child care, night school, and recreation, in addition to education, while enlisting local residents to "clean up" their neighborhood.[163] Despite these early successes, Rusk struggled to stay afloat in succeeding decades, particularly as Mexican

[161] Tsanoff, *Neighborhood Doorways*, 1.
[162] *Ibid*.; on the west-east divide, see Shelton et al., *Houston: Growth and Decline*, 21-24.
[163] For a discussion of the Progressive-era settlement movement in Texas, see Judith N. McArthur, *Creating the New Woman: The Rise of Southern Women's Progressive Culture in Texas, 1893-1918* (Urbana: University of Illinois Press, 1998), 78-83. Her contention that the settlements comprised part of a larger space for women's public activity suggests that the increase in juvenile delinquency during World War II may help explain the hiring of a male director.

immigrants began to displace European Jews in the 1920s. In 1926, the city razed a large part of the neighborhood to make way for a large railway, a depot, and a gas tank. This further degraded already crowded and dilapidated housing, and resulted in the creation of "Shrimp Alley," a notorious slum hemmed in between industrial sites and Buffalo Bayou. Worse, Rusk now found itself separated from its client population by the railway and a suddenly busy thoroughfare. "Children have to dodge twelve to thirteen cars a minute," complained one Rusk area survey in 1936.[164]

The Depression brought discriminatory spending cuts that put further pressures on Rusk. Starved for funds, the local Community Chest cut Rusk's annual allotment significantly. Another blow came when E.E. Oberholtzer, superintendent of the Houston Independent School District, rescinded the settlement's free use of the Rusk facility for afterschool programs, over the bitter objections of Rusk's principal. Other schools offered their facilities but only if the programs segregated Anglo and Mexican participants, which the settlement rejected. The repatriation campaigns of the era deported much of Rusk's client base to Mexico. Attempts to open new facilities for Mexican American children in other neighborhoods met with resistance from city officials, who condemned one chosen structure as unsafe, and from white citizens, who rioted to prevent the opening of another house situated on the edge of an Anglo neighborhood. When city officials subsequently criticized the HSA for failing to contain juvenile

[164] Tsanoff, *Neighborhood Doorways*, 18.

delinquency in its settlement areas, its president shot back with complaints that its facilities were "understaffed, under-equipped, and badly housed."[165]

Relief came from the Edith and John Ripley Foundation, created in 1938 with a multimillion-dollar endowment to help "women and children." Influenced by a visit to the Peckham Center, an experimental program that offered health, education, and recreation services to working-class families in an industrial suburb of London, the Ripley trustees decided to fund a similar endeavor in east Houston. One proposal called for three new settlements, each located in a black, Mexican American, and Anglo neighborhood. Instead, the HSA chose to build one large facility on the Anglo site, but ostensibly "a center for the entire industrial section of Houston's East End." The Ripley project caught the attention of Lillie Peck, president of the National Federation of Settlements, the umbrella organization of American settlement houses. At Peck's invitation, the HSA president toured Northern settlements in summer 1938. On a visit to Ripley the following year, Peck advised the trustees to secure leadership that would work "with" rather than "for" people. The HSA board seems to have interpreted this instruction as a rationale for forcing the spring 1943 resignation of Rusk director Bailey, who was deemed unfit to work in the "different social environment" of Ripley. This decision exacerbated the simmering resentment of long-suffering Rusk staff toward the comparative largesse at Ripley. Several Rusk workers quit in protest, and Bailey's successor would find it necessary to engage Ripley's children in fundraising activities for Rusk.[166]

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[165] *Ibid*., 25-36.
[166] *Ibid*., 60-62.

In 1943, the HSA replaced Bailey with Peck's longtime colleague Franklin Israel Harbach, who was working at the time as assistant director of the Henry Street Settlement in New York's Lower East Side. In her history of Henry Street, former director Helen Hall recalled Harbach's "downright practicality along with a zest for new ideas."[167] Before becoming assistant director in 1933, Harbach had obtained a law degree (from where?), married, and worked as a "Boys Worker" for four years. His work with the street-corner sons of Eastern and Southern European immigrants had schooled Harbach in the cultural conflicts experienced by young people growing up "American" in Old World households.[168] He consciously sought experiences that would help him empathize with his working-class neighbors, including a summer job at Bethlehem Steel in his youth, which he later described thusly:

> I always was very happy I had this experience when I was young because I had an opportunity to work with people who were living a different life than I was accustomed to. You can read about them, you can be sorry for them, you can be concerned about them, but until you really know what's going through their mind as they work at a tiresome job you do not know them.[169]

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[167] Helen Hall, *Unfinished Business: In Neighborhood and Nation* (New York: The MacMillan Co., 1971), 222.

[168] As formulated in Clifford Shaw's Chicago Area Project of the 1930s, the "boy's worker" or "curbside counselor" was a trained social worker who befriended gang members and mediated conflicts between neighborhood gangs. The New York Department of Youth Services began employing the "detached street worker" toward the end of World War II, according to historian Eric C. Schneider. See Eric C. Schneider, *Vampires, Dragons, and Egyptian Kings: Youth Gangs in Postwar New York* (Princeton, NJ: Princeton University Press, 1999), 189-196. For a study of Italian youth of that era, see William F. Whyte, *Street Corner Society: The Social Structure of an Italian Slum of Chicago* (Chicago: University of Chicago Press, 1943).

[169] Harbach to Irene Franklin, 3/25/1964. Harbach Papers.

Under Harbach's leadership, the HSA cultivated working relationships with several members of Houston's power elite. Once dominated by upper-class women reformers, the composition of the board of directors increasingly included business executives, academics, professionals, mayors, and city councilpersons. Public schools opened their doors for recreational activities; city officials agreed to residents' demands for police protection, the construction of playgrounds, and the installation of streetlights.[170] So friendly was Harbach with the business sector that the Houston Chamber of Commerce awarded him a full membership in 1948.[171] Harbach's navigation of local politics, along with his management of the Ripley endowment, ushered in a period of growth for the HSA. In 1943, the HSA managed two settlement houses and a day care center; twenty years later, it boasted seven neighborhood centers, two boys' programs, and a community action program. This growth reflected unprecedented financial solvency. Most settlement homes struggled to remain afloat in the 1950s, as their "white ethnic" client base moved to the suburbs, to be replaced by African Americans and Latinos. Meanwhile, the National Federation of Settlements regularly listed the Houston Settlement Association as its top dues-payer to the national treasury.[172] Harbach's apparent skills in social work administration helped elevate him to the presidency of the National Federation of Settlements (1947-1950) and a seat on the national committee of the Community Chests of America (1949), the latter at

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[170] W.E. Moreland to Harbach, 3/17/1944; Maude Cashin to Harbach, 3/24/1945; Petition of Ripley House and Magnolia Park Improvement Association to Mayor and City Council of Houston, 8/19/1947; Kraus Earhart to Harbach, 5/2/1952. Harbach Papers.
[171] Charles Reed to Harbach, 11/5/1948. Harbach Papers.
[172] List of top ten dues-paying branches appended to letter, John McDowell to Harbach, 11/16/1955. Harbach Papers.

the personal invitation of its chairman Henry Ford II, heir to the Ford Motor Company.[173] Additionally, Harbach earned the respect of his professional peers, serving as a consultant to both UT's social work program and the social work journal *The Survey*. He appeared often on local television broadcasts that dealt with children and youth.[174] Clearly he had provided the HSA with its desired local and national reputations.

[173] Henry Ford, II, to Harbach, 5/9/1949; Harbach to Ford, 6/6/1949. Harbach Papers.
[174] Rosalind Giles to Harbach, 10/13/1949; Harbach to Giles, 10/24/49; Martha Gano Houstoun to Dr. Dudley K. Woodwards, 12/16/1946; Daniel Harbin to Harbach, 10/17/1949; Theophilus S. Painter to Harbach, 4/25/1951; Frances E. Moon to Harbach, 2/24/1953; Junior League of Houston to Harbach, 4/17/1956. Harbach Papers.

Figure 5: Rusk Settlement Home, landscape shot, 1947

While attempting to "Americanize" its largely Mexican immigrant clientele, Rusk also insisted that whites accept Mexican and Mexican American young people as equal citizens. From *Neighborhood Doorways* (1959). Courtesy of the Center for American History, University of Texas at Austin.

His association with Rusk automatically rendered Harbach a local expert on juvenile delinquency. The Rusk neighborhood was home to some of Houston's most notorious Mexican American youth gangs. During World War II, the exploits of the Black Shirts and the Snakes made headlines. Harbach left little record of Rusk's involvement with them, but scattered evidence suggests that he acted frequently as an intermediary between neighborhood boys and the Houston police. The county juvenile probation department sometimes remanded boys to

the custody of Rusk staff, suggesting that it functioned occasionally as a kind of halfway house. Some boys earned staff positions as "group workers" or youth counselors. At least one or two of them went on to college, receiving recommendation letters from Harbach that admonished universities for their lack of students of color. For example, one letter advised Rice University that the admission of a Magnolia Park high school senior was "very important both for him and for Rice."[175] This support came with an expectation that graduates would return to their home communities. In 1948, Harbach created a small college scholarship program "to help our boys from Rusk... to help their own people;" years later, he administered a similar fund for black students.[176]

One of Harbach's wartime allies was Roy Hofheinz, who served as county juvenile court judge between 1937-1944. Hofheinz championed alternatives to incarceration for young offenders in language reminiscent of the era's discourse of social citizenship. "No youngster is born mean," he insisted. "When they go bad, it is because you and I thought our responsibility to the community ended with... our own children."[177] During his tenure, Hofheinz instituted juvenile probation, foster care, and separate detention facilities for juveniles. "[A]nything which approaches a home environment," he stated in one of his many public speeches, "is better than any institutional care."[178] He achieved national fame, becoming the first southern judge to address the National Probation Association,

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[175] Harbach to Dr. James Giles, 11/2/1959. Harbach Papers.
[176] Harbach to Felix Tijerina, 3/23/1948; Harbach to Mrs. W. B. Sharp, 6/25/1962. Harbach Papers.
[177] Edgar W. Ray, *The Grand Huckster: Houston's Judge Roy Hofheinz, Genius of the Astrodome* (Memphis, TN: Memphis State University Press, 1980), 72.
[178] *Ibid*., 65.

the National Association of Juvenile Judges, and the National Juvenile Agencies Association. During the latter meeting, which took place in New York in 1939, Hofheinz appeared on a national radio broadcast with former Democratic presidential candidate Al Smith to discuss the need for alternatives to institutions. According to his biographer, Hofheinz often sided with "his boys," including accused African Americans, against police officers who had produced written confessions of guilt that later turned out to be coerced. Through his work with teenage boys, Hofheinz achieved local and national celebrity.

He was elected mayor of Houston in 1953. The following year, Hofheinz created a Juvenile Delinquency and Crime Commission and appointed Franklin Harbach as one of its members. The commission was a product of the national panic over juvenile delinquency, which resulted in hearings before the United States Senate between 1953-1956. The Senate investigated the comic book, television, film, and illegal drug industries, convinced that they collectively had undercut the authority of "the family, the church, and the school," in the words of onetime chair Estes Kefauver.[179] The Senate investigation portrayed a quasi-conspiracy of media moguls and drug peddlers that had invaded traditional spheres of adult authority. That they based this conclusion largely upon anecdotal reports from New York City suggests a national diagnosis borne of Northeastern symptoms. Quite different conclusions emerged from the Houston committee. First, it determined that Houston's actual juvenile crime rates had risen substantially but found the greatest statistical increases in nonserious offenses

[179] On the juvenile delinquency hearings, see James A. Gilbert, *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950's* (New York: Oxford University Press, 1986), 143-161.

among 13-15 year old boys. And while it decried the influences of popular culture and drugs, the committee placed blame largely upon social processes – particularly suburbanization - in which American families were active participants rather than unwitting victims.[180] Often remarked upon in the 1950s, suburban alienation rarely was blamed directly for juvenile delinquency.[181] Unlike media commentators, however, locally based experts like Harbach witnessed these massive social and demographic shifts at close range. He saw the suburbs and inner cities as equally "disorganized" breeding grounds for "hard-to-reach" teenagers.[182] The "movability [sic] of people," he wrote to Texas Senator Lyndon Johnson in 1956, represented "one of the major problems of this generation."[183]

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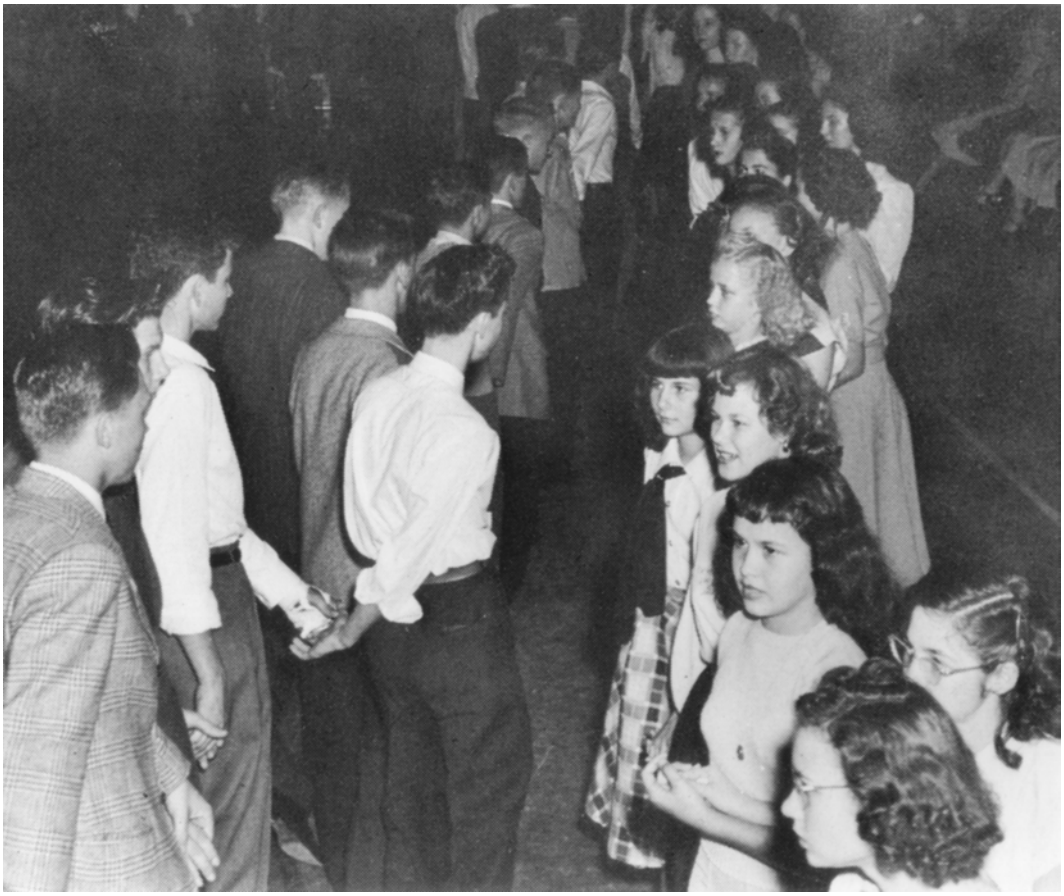
[180] Joseph L. Zarefsky, "Statistics Relating to Juvenile Delinquency: What are the Facts for Houston and Harris County?" Community Council of Houston and Harris County, July 1954.
[181] David Riesman et al., *The Lonely Crowd: A Study of the Changing American Character* (New Haven: Yale University Press, 1950), 66-67, states that "the other-directed child grows up in a small family, in close urban quarters, or in a suburb," but never proceeds from alienation to delinquency. A similar conclusion that correlates the instability of suburban families with "life adjustment" school curricula is offered in William H. Whyte, Jr., *The Organization Man* (Garden City, NY: Doubleday, 1956), 423-434. See also Herbert J. Gans, *The Levittowners: Ways of Life and Politics in a New Suburban Community* (New York: Pantheon Books, 1967).
[182] Roy Hofheinz to Harbach, 11/4/1953; Harbach to Hofheinz, 11/11/1953; Harbach to W.A. Kirkland, 3/25/1955. Harbach Papers.
[183] Harbach to Johnson, 7/24/1956. Harbach Papers.

Figure 6: “Teen-Age Dance at Pasadena, 1950s”

The lack of community felt by the parents of suburban children and teenagers helped expand the traditional mission of the settlement house to include upwardly mobile families. From *Neighborhood Doorways* (1959). Courtesy of the Center for American History, University of Texas at Austin.



Harbach’s response was to overhaul the missions of Rusk and Ripley. In 1954, the Houston Settlement Association became the Neighborhood Centers Association of Houston and Harris County (NCA).[184] The discarding of the word

[184] Tsanoff, *Neighborhood Doorways*, 92-99.

"settlement" reflected the growing dispersion of NCA participants across neighborhood lines, as well as a concomitant detachment of the institution from its traditional geographic base. For instance, Ripley House functioned as a kind of central office for recreational and vocational youth programs administered by NCA staff in schools throughout east and southeast Houston. Less likely to live in the facility itself, staff workers increasingly were immersed in career paths rather than personal relationships to putative neighbors. University programs instilled "scientific" models of social work that drew heavily upon the theories of psychology and psychiatry. Offering "teen-age dances" (see figure 6) and marriage counseling services stemmed the tide of suburban alienation for middle-class families (white and black) who undoubtedly would have viewed the nomenclature "settlement" as an unwelcome evocation of urban poverty.

By contrast, Rusk openly acknowledged the poverty of its neighbors, as it had for decades. In 1958, Rusk launched a "Neighborhood Development" program in the nearby Clayton Homes public housing project. Opened in 1952 with the help of a private donor, Clayton Homes was the city's only public housing for Mexican Americans. Standing on land formerly dotted with dilapidated shotgun shacks, the low-rise apartment buildings represented an attempted physical restructuring of Houston's oldest barrio. It was also the result of NCA director Franklin Harbach's tireless advocacy of public housing. Since his arrival in 1943, Harbach had cultivated alliances with the Houston Housing Authority (HHA). In the aftermath of World War II, Harbach had served on the Mayor's Advisory Committee on Reconversion, where he lost a battle with

ultraconservative and real estate factions to devote resources to public housing. Indeed, Clayton Homes was the last housing project built in Houston after the 1949 referendum that ended the city's involvement in public housing.[185]

At the HHA's invitation, Rusk opened a recreation room and child care center in the Clayton Homes. These programs were poorly attended, which surprised Rusk workers given that "young families" comprised most of the resident population. In 1957, Rusk hired a full-time social worker to find answers. She concluded that "indifferent" young fathers were to blame; they discouraged their wives, who ostensibly stood to benefit most from services such as child care. Worse, fathers reinforced their teenage sons' distrust for supervised recreation, which exasperated Rusk officials who for years had struggled to retain boys in such programs as they reached the "dangerous" age of adolescence. Youth gangs were seemingly on the rise in the barrio after years of relative quiescence, lending urgency to Rusk's failures. The frustration was visceral in Rusk's official reports, as in the following exclamation: "Just where do we lose our hold on our boys as they grow into manhood?"[186]

What had changed, according to a 1959 NCA report, was the replacement of an upwardly mobile, urban working-class with a permanent underclass. Men who in past eras would have filled unskilled factory jobs found them foreclosed

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[185] On public housing in Houston, see Bullard, *Invisible Houston*, 40-49; De Leon, *Ethnicity in the Sunbelt*, 99-103. Harbach's report on Magnolia Park, 10/1/1943, noted its "substandard" housing; on his dealings with the mayor's committee, see the following: Harbach to Lillian Peck, 8/3/1945; Harbach to Houstoun, 8/24/1945; E.W. Blum to Harbach, 11/19/1945. Harbach to Marie McGuire, 6/30/1949; Harbach to E.W. Blum, 7/1/49; Blum to Harbach, 7/11/1949, all celebrated the passage of the federal housing bill that would be invalidated the following year by local referendum. Harbach Papers.

[186] Tsanoff, *Neighborhood Doorways*, 115.

by automation; families who once might have looked forward to the good life now remained mired in "extremely complicated [and] long histories of sub-standard existence."[187] Rusk's social workers found families lacking "mental and physical health, employment, education, legal and protective services, housing, and vocational training." Anecdotes described working families headed by both parents or single mothers struggling with low incomes, long hours, and exhausting labor; in the next breath, these reports lamented untreated mental and physical disorders that ranged from obvious health problems to ambiguously defined "cultural" or moral personal failings. Labeled alternately as "hard-to-reach" or "multi-problem families," project residents collectively represented a deviant community in need of not only individual services but of a more comprehensive intervention.

According to the 1959 report, then, reforming the neighborhood would require a far more comprehensive program than had been attempted thus far. Such a program would have to enlist the active participation of residents in both the planning and execution stages. Later that year, after staff workers attended seminars on "community improvement" at Chicago's Hull-House, the NCA held a town hall meeting at Clayton Homes. Social workers informed residents that the NCA wished to conduct a "broad program of neighborhood improvement" that would proceed according to the results of an opinion survey. Respondents "showed no resentment at the necessary surveys and the strange consultants," recalled NCA board member Corinne Tsanoff years later; "[o]n the contrary, they

187 "1960 Budget Report for the Neighborhood Centers Association of Houston and Harris County, submitted to the United Fund, May 1, 1959." Harbach Papers.

seemed interested and pleased to know that others were really concerned about their well-being."[188] This apocryphal-sounding gratitude was tempered with a desire for self-determination. Clayton locals would elect representatives to share power with social workers on the "Clayton Homes Neighborhood Development Program Committee." The committee decided upon and executed a series of projects ranging from mundane physical improvements to political activism. Often activity of one type led to the other, as when a mass cleanup of housing project grounds inspired the committee to pressure the city's sanitation department to provide pest-control services, and to protest the disproportionate dumping of garbage in the area. With financial assistance from the NCA, the committee opened a locally owned grocery store; enrolled children in pre-K, kindergarten, and elementary school; and sponsored adults who wished to take night classes at the local high school.[189]

By fall 1961, the Clayton Homes project began to attract outside attention. One of its most enthusiastic champions was Robert Sutherland, a professional acquaintance of Franklin Harbach and the director of the Hogg Foundation for Mental Health at the University of Texas. At the time, Sutherland was serving as a consultant to the Ford Foundation's "gray areas" project, which bankrolled scientific studies of poverty and delinquency in urban areas. One of the earliest recipients of Ford money, Mobilization for Youth, was headquartered at

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[188] Corrinne S. Tsanoff, "Working Together for Neighborhood Improvement," *Children* 11:5 (Sep-Oct 1964), 179-182: 180.

[189] *Ibid*. "Study of the Clayton Homes Neighborhood Development Program: A Total Neighborhood Approach," project proposal submitted by the Neighborhood Centers Association of Houston and Harris County to the National Institutes of Health, December 4, 1961. Papers of Robert Lee Sutherland, Center for American History, University of Texas at Austin (hereafter Sutherland Papers).

Harbach's former place of employment, the Henry Street Settlement on New York's Lower East Side. Sutherland's colleague at the "gray areas" project, Richard Boone, wrote Harbach in September 1961 for information on "the neighborhood program based on the family as a unit."[190] That December, Harbach sent Sutherland a draft copy of a grant proposal destined for the National Institutes of Health, along with an inquiry about its fitness for a Ford grant. In addition to agreeing to serve as a consultant to the project, Sutherland's response included a copy of a confidential internal Ford memo containing a statement of purpose for the "gray areas" project.[191] He also wrote to David Hunter, the Ford project director, extolling Harbach's personal virtues as well as those of the Clayton Homes proposal. "He has had more experience in group and neighborhood work than anyone else in Texas," wrote Sutherland; "I had thought that he might be lost in the tradition of his profession, but on their own they have started an all-out push program of community improvement... which they are now trying in an area of the worst circumstances."[192] This was hardly idle praise because at least two other private Houston social service agencies had grant applications pending before the Ford Foundation. In Sutherland's eyes, they paled before the Neighborhood Centers Association's "area project which comes closer to the neighborhood approach than any other activities in Houston."[193]

On closer examination, the "neighborhood approach" resembled an updated version of the "community action" programs carried out by the Hogg

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[190] Richard W. Boone to Harbach, September 15, 1961. Harbach Papers.
[191] Sutherland to Harbach, December 4, 1961. Sutherland Papers.
[192] Sutherland to David Hunter, December 6, 1961. Sutherland Papers.
[193] Sutherland to Richard Boone, January 8, 1962. Sutherland Papers.

Foundation a generation earlier (see chapter 2). The NCA identified problems of racial conflict, education, employment, housing, health, delinquency, and crime. But where small-town programs of the 1940s had highlighted the psychological effects of a dilapidated physical environment and a lack of social services, the NCA project took emotional "damage" as its starting point. Clayton's residents, the proposal contended, lacked the cultural capital ("competence," in social scientific parlance) and confidence necessary for self-improvement, social mobility, and community cohesion. "Our experience to date," noted the NCA proposal, "indicates that individuals and families... experience growth and development as they plan and work together in self-help neighborhood development projects such as beautification, school bus transportation, or neighborhood traffic control." The demonstration program would focus especially upon "promoting positive and preventive mental health on the neighborhood level."[194]

The ultimate goal, according to the NCA grant proposal, was the creation of a "therapeutic neighborhood." The phrase was adapted from the postwar movement for community psychiatry, which advocated, among other things, a psychiatric clinic for every neighborhood. More specifically, the NCA borrowed from a published study of British experiments in group therapy. In hospital wards for traumatized war veterans and other patients, psychiatrists sought to replace psychoanalysis with group therapy, vocational guidance, and cooperative activity. At the Industrial Neurosis Unit of Belmont Hospital, patients collaborated on a

[194] All quotes here come from "Study of Clayton Homes."

newsletter; some left the psychiatric ward for job training and leisure activities, but returned for group sessions. Doctors referred to these practices as "life adjustment" or "rehabilitation" or "community methods of treatment;" although the locus remained a hospital ward, the program seemingly prepared patients for re-entry into productive roles better than did laborious one-on-one psychotherapy. According to Goodwin Watson, a professor of social psychology at Columbia University's Teacher's College, the Belmont experiment had opened a new vista for American advocates of community-based treatment:

> Social psychiatry may have to develop for some more years within cloistered walls, but eventually its concepts must lead to experiments in the treatment of disordered personal relations by immersion in better-than-ordinary neighborhoods without any of the grim characteristics of confining institutions. Then 'psychosanitation' will emerge, and social psychiatrists will normally protect entire communities from ways of life which are emotionally crippling much as public health officers now save cities from epidemics caused by bacteria.[195]

A major obstacle to achieving the therapeutic neighborhood was "the problem of teenagers," discussed at length in the first published results of the Clayton Homes experiment in a 1964 issue of the social work magazine *Children*.[196] Project staff discovered the key to teenage participation during a successful polio vaccination campaign: a "youth leadership committee." Prospective youth leaders accompanied adult staff on a two-day educational retreat, where they learned how to organize the parties, dances, and field trips that they "hardly ever" got to do in school. So popular were the committee's events that its first official election, in March 1963, attracted 151 of 162 eligible young

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[195] Foreword to Maxwell Jones, *The Therapeutic Community: A New Treatment Method in Psychiatry* (New York: Basic Books, 1953), x.
[196] Tsanoff, "Working Together," *supra* note 55.

voters. Not only did the committee divert "at-risk" teenagers into controlled recreation, it provided an object lesson in representative democracy. And like any good government, the committee sought to provide jobs for its constituents, in the form of a vocational program that offered job training in typing, filing, auto repair, maid and janitorial service, and babysitting. Teenagers cleaned apartment houses in exchange for field trips "all over Texas," a trade-off that as easily acclimated them to low-wage labor as instilled the Protestant work ethic. In any case, public officials found much to praise in the program. Juvenile probation officers observed "a noticeable reduction in unsocial behavior," while the HHA director noticed that friendly cooperation had replaced previously "cold and unfriendly" behavior. This new spirit apparently spilled over to intergenerational relations as well. An attempt to oust "troublesome" boys from a Boy Scout troop met with resistance from one local father who insisted "they are our boys and we must get hold of them."

This sunny portrait became the occasion for Tsanoff to lecture her fellow social workers on their propensity to misjudge or ignore the needs of its client populations. "In the past," she recounted, "social workers have been educated to identify the problems, recognized by our own standards, and to offer solutions. But in our work the staff must first listen before they talk."[197] Too many urban agencies subjected residents to needlessly rigid appointment schedules, lengthy written questionnaires, and other off-putting requirements for services. "Should agencies require that the client be trained to accept their services," she continued

[197] *Ibid*.

sardonically, "or should they train workers to offer services on a neighborhood level where people can and will accept them?" The populist tone belies the fact that, by the project's own admission, teaching residents to access social services was in fact central to NCA's mission of a therapeutic community. Franklin Harbach highlighted the project's "mental health implications for urban areas" to the Boston Settlement Council and the National Institutes of Mental Health in summer 1963.[198] Onetime settlement homes began to emulate functions envisioned for community mental health clinics, as letters poured in asking for literature on the Clayton experiment.[199]

As the settlement ceased to be a settlement, its geographic reach expanded beyond national as well as neighborhood borders. During his term as NFS president (1947-1950), Harbach helped launch a training program for Latin-American social work students. Over the next decade, students came from across the region to intern at settlement houses in Houston, New Orleans, and San Antonio. The program eventually involved the NFS in cooperation with both the U.S. Children's Bureau and the Agency for International Development. Evoking both the traditional emphasis upon interclass cooperation and Chicago sociology, Harbach called the "southwestern" city a "natural laboratory for Anglo and Latin relationship."[200] Moreover, these cities made ideal training sites because of their lack of publicly funded social services compared to "the highly organized centers

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[198] "Creating a Neighborhood Climate for Better Mental Health," talk given to the Boston Settlement Council and TAP, July 1963; "Settlement Programs with Mental Health Implications for Urban Areas," talk given to the National Institutes of Mental Health, August 1963. Harbach Papers.

[199] Baltimore and New York to Harbach, 12/63; San Antonio to Harbach, 1/64. [FIND CITE]

[200] Harbach to G.A. Walls, 7/2/1947. Harbach Papers.

of the East and Middle West."[201] In the emerging Sun Belt, social workers had devised methods suitable "to countries not so highly developed."[202] The emphasis remained on traditional child saving; the annual meeting of the Pan-American Child Congress had provided the forum for the invention of the exchange program and for subsequent reports on its progress.[203]

Connecting Latin America to the Clayton Homes project was a shared theoretical underpinning in the "culture of poverty." In 1959, the Neighborhood Centers began an annual conference that brought together Latin American social workers, American officials, and Clayton Homes community leaders. Held at Texas A&M University in nearby College Station, Conference on Citizenship in a Democracy (COCIAD) featured panel discussions on various topics.[204] In 1963, the keynote speaker was Oscar Lewis, the cultural anthropologist whose impressionistic profiles of impoverished Latin American families had lent credence to a culture of poverty that transcended racial and ethnic groups, regions, and national borders.[205] No records exist of Lewis' presentation, but Harbach later wrote that his comments were received favorably by all, including the presumptive members of the culture of poverty who had journeyed from Clayton

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[201] Lillie M. Peck to Katherine Lenroot, 1/3/1948; 7/71950; Lenroot to Harbach, 7/20/1950. Harbach Papers.
[202] Harbach to Martha Gano Houstoun, 1/3/1948. Harbach Papers.
[203] Jean Maxwell to Harbach, 6/24/1947; Harbach to Maxwell, 7/3/1947. "Report on Latin-American Cooperative Program," National Federation of Settlements, 7/26/1948. Peck to Shirley, 10/28/1954. "List of Pan-American Fellows," 7/15/1955. Harbach Papers.
[204] "COCIAD: Conference on Citizenship in a Democracy," flyer, 1959. Harbach Papers.
[205] "[T]he culture of poverty cuts across regional, rural-urban, and even national boundaries," asserts Oscar Lewis in *Five Families: Mexican Case Studies in the Culture of Poverty* (New York: Basic Books, 1959), 16. His focus on the family made Lewis appealing to American social reformers in the 1960s, who usually judged programs based on how they might strengthen families.

Homes. As American policymakers eagerly transplanted Lewis' theory to explain the reasons for poverty and delinquency in urban ghettos and barrios, the American settlement house movement used its experiences working in urban slums as a lens through which to view social welfare needs in Third World cities. A "training ground for... international work," Clayton Homes reflects the infusion of psychological theory into urban antipoverty campaigns long before the official start of the War on Poverty.[206] The main source and rationale for that knowledge was juvenile delinquency, itself predicated upon a "normal" adolescence that rendered as universal the historically and socially specific experiences of middle-class and largely white teenagers.

II. Constructing the "Lonely" Teenager: Greater Houston Action for Youth

The roots of Greater Houston Action for Youth can be traced, in part, to well-publicized episodes of violent juvenile crime in the preceding years. For example, in January 1958, a group of angry white homeowners in Houston formed a Citizens' Committee for the purpose of lobbying local and state lawmakers. The committee was based in the comfortable West University Place neighborhood near Rice University, where a decade later white residents would resist court-mandated school integration by seceding from the Houston Independent School District. This particular committee's grievances, however, arose from something quite different – a single violent incident that took place the previous Christmas Eve. That night, four teenage boys on parole from the Gatesville state school for juvenile delinquents went joyriding through the well-

[206] Harbach to Robert Sutherland, 8/1964. Harbach Papers.

kept streets of West University Place. Riding shotgun was seventeen-year-old Stuart "Sandy" Lumpkin, who had been arrested no less than nineteen times for a range of offenses including malicious mischief, burglary, fighting, and sexual assault. The boys came upon the residence of the Evans family, when for no apparent reason, Lumpkin cocked his .38 caliber revolver and shot fifteen-year-old Jay Evans to death in his own front yard.[207]

This drive-by shooting, certainly a rarity for any upscale neighborhood in Eisenhower's America, elicited an angry outcry against "teen-ager terrorism." Leading the chorus was the newly formed citizens' committee, which within the month drew up a highly publicized "blueprint" for curbing juvenile crime. A cover letter admonished readers that "any family's child, even yours" might have suffered Evans' fate.[208] Local and state officials lined up to endorse the blueprint's major conclusions, which portrayed the juvenile justice system as a revolving door that neither kept the public safe nor held juveniles long enough to rehabilitate them. For his part, Texas Governor Price Daniel prudently lent an emphatic affirmative to the question posed by a *Houston Chronicle* headline: "Are Youngsters Coddled by Law?"[209] He agreed with the blueprint's recommendations for trying violent juvenile offenders as adults and increasing the number of juvenile training schools. Always eager to maintain law and order, the

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[207] The best descriptions of the incident are "Citizens Panel Draws Blueprint Aimed at Curbing Teen Crime," *Houston Chronicle*, January 15, 1958; and Bo Byers, "Officials Split on Age Limit for Prosecution," *HC*, January 28, 1958. Both articles come from the "Juvenile Delinquency" vertical file at HMRC (hereafter "JD-HMRC"). On the attempt to create a separate school district, see William Henry Kellar, *Make Haste Slowly*, 158-162.

[208] "Citizens Panel."

[209] *HC*, January 27, 1958. See also Bo Byers, "Bigger Reformatories, Tougher Laws Favored," *HC*, January 26, 1958. JD-HMRC.

state legislature quickly transformed these proposals into policy, lowering the age for possible adult sentencing to fifteen and allocating funds for a new lockdown facility for violent and serious juvenile delinquents (see chapter 4).

The "get tough" rhetoric that surrounded the Evans murder reflected a shift in public discourse that swept the nation in the late 1950s. By then, the perennially vexing problem of juvenile delinquency had turned violent. Youth gangs surfaced in growing numbers on the streets of several of the largest American cities. "Senseless" murders stemming from ethnic gang rivalries filled the headlines. Often a seemingly random slaying would turn out, upon further investigation, to stem from simmering disputes between individuals, gangs, or ethnic groups. For example, a nationally publicized 1955 shooting of an "innocent" fifteen-year-old boy in New York initially shocked observers as an example of the thrill-killing habits of Puerto Rican gangsters. The story took on a more ambiguous cast, though, when the clean-cut white victim turned out to be a gang member himself.[210] In Chicago, Detroit, and New York, the phenomenon of racial and ethnic succession in formerly all-white neighborhoods produced bloody clashes fought mostly by adolescent and young adult males.[211] These incidents represented the nerve endings of a national trend that frightened longtime observers of young people's doings. In the 1950s, the juvenile age population

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[210] The full story of the murder of William Blankenship, Jr., by Frank Santana of the street gang the Navajos, was the subject of a book by then well-known psychiatrist Frederic Wertham. See Frederic Wertham, *The Circle of Guilt* (New York, 1956). For an example of media reaction, see "The Problem Grows Worse... What to do When Kids Shoot Down Kids?" *Newsweek* (May 16, 1955), 32-33.

[211] Arnold R. Hirsch, *Making the Second Ghetto: Race and Housing in Chicago, 1940-1960* (Cambridge: Cambridge University Press, 1983), 74-76; Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton, NJ: Princeton University Press, 1996), 254-255; and Schneider, *Vampires, Dragons, and Egyptian Kings*, 78-105.

increased 25%, while the juvenile arrest rate increased by nearly 50%. Although this figure largely represented a rise in arrests for nonviolent offenses, the numbers for violent crimes such as murder, aggravated assault, and manslaughter still averaged about one and a half times the growth in eligible population.[212]

While national crime statistics rarely recorded both age and race, they strongly suggested that urban young people of color comprised a disproportionate percentage of those teenagers arrested for violent crimes. In 1960 alone, roughly a quarter of all homicide arrests involved offenders under the age 21, while nearly two-thirds (61%) of all accused murderers were black. Furthermore, the only national breakdown of arrests by race and ethnicity failed to record separate numbers for Latino arrests; most likely, city police departments simply followed the Census Bureau's practice of counting Latinos as "white." Surely the figure for total white offenders, which was 37% of the total homicide arrests, included a significant number of Latinos.[213]

Harris County's delinquency statistics both mirrored and departed from national trends. Between 1952-1962, the juvenile population doubled, from 156,930 to 308,159. Delinquency referrals tripled, from 2,030 to 6,010. In 1962, the total number of male referrals was 4,569, almost half for black or Latino boys. A similar ratio held true for girls. Furthermore, nonwhite youth represented over half of the total cases that were processed through the juvenile court. Of those cases, African Americans outnumbered the *combined* numbers of whites and

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[212] FBI, *Uniform Crime Reports for 1960*, 18-19.
[213] *Ibid*., 92-95. On the historical miscounting of Latinos, see Margo J. Anderson, *The American Census: A Social History* (New Haven: Yale University Press, 1988), 223-228.

Latinos (108 to 104) committed to juvenile reform school.[214] It is thus hard to escape the likelihood that calls for tougher punishments for juvenile offenders disproportionately targeted blacks and Latinos. In December 1958, a newly-elected county judge proposed lowering the age at which juveniles could be tried as adults from 17 to 15; two years later, in 1961, Houston District Attorney Frank Briscoe "declared war" on juvenile offenders. Only Paul Irick, the chief of the juvenile probation department that had compiled the damning statistics, called for increased social services rather than stiffer punishments.[215]

Relief seemingly arrived in spring 1962, in the form of Greater Houston Action for Youth (GHAY). A collaborative project of academics and social agencies, supported by the financial largesse of the federal government, GHAY promised to muster an "all-out, comprehensive action program to fight down juvenile delinquency."[216] While it rarely lived up to this ambitious pledge, as did most of its counterparts in other American cities, GHAY distinguished itself in another way. It spent an unusual amount of money and effort on a media blitz to convince the general public of the urgency of its cause. The result was a well-developed series of images and narratives that highlighted psychological disorders in individuals and families as the main causes of juvenile delinquency. In GHAY narratives, "classless" problems replaced poverty, inequality, and discrimination, in contradiction to the known facts about the demography of juvenile offenders.

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[214] The above figures all come from *Annual Report of the Harris County Juvenile Probation Department for 1962*. HMRC.

[215] "Elliott to Seek Criminal Trials at Younger Age," *Houston Chronicle*, 12/9/1958; "D.A. Briscoe Declares War on Former 'Untouchables,'" *HC*, 10/9/1961, p.1; "County Juvenile Cases Up 300% in 10 Years," *HC*, 5/13/1962. JD-HMRC.

[216] "Project: Action for Youth," newsletter #1 of Greater Houston Action for Youth, University of Houston, August 1962, p.1. Sutherland Papers.

These emphases reflected local public opinion and the desire of social service agencies to vie for GHAY dollars. But they were also central to the intellectual framework of the federal delinquency program.

The guiding principle for the President's Committee was "opportunity theory," as outlined in Richard Cloward and Lloyd Ohlin's study *Delinquency and Opportunity* (1960). The authors drew largely upon their work with black and Puerto Rican teenagers in New York's Lower East Side, in Mobilization for Youth, a program funded by the Ford Foundation and designed to test opportunity theory. Fifties sociology had held that such boys who had organized themselves into violent youth gangs belonged to a "delinquent subculture," a group that operated under its own set of rules and mores that were opposed to those of the dominant culture.[217] Cloward and Ohlin agreed with this conclusion, but not with the prevailing views of its causes. The ghetto's lack of licit opportunity for social mobility, rather than its inherently "deviant" culture, had instilled "status anxiety" in otherwise normal boys who had internalized the American Dream as fully as had their suburban middle-class peers.[218] In other words, these boys wanted the house and car in the suburbs, but lacked the means to acquire them, and in frustration turned to crime and violence.[219]

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[217] See for example Albert K. Cohen, *Delinquent Boys: The Culture of the Gang* (1955).

[218] At the time, sociologist Daniel Bell argued that previous generations of European immigrants had used criminal activity to finance their escape from poverty to respectability. Bell, "Crime as an American Way of Life," *The End of Ideology: On the Exhaustion of Political Ideas in the Fifties* (New York: Collier Books, 1961), 127-150. According to Chicago sociologist William Julius Wilson, the replacement of Europeans with African Americans and Latinos, along with structural changes in the political economy of American cities, heralded the emergence of a permanent "underclass." Wilson, *The Truly Disadvantaged: The Inner City, The Underclass, and Public Policy* (Chicago: University of Chicago Press, 1987).

[219] Richard Cloward and Lloyd Ohlin, *Delinquency and Opportunity: A Theory of Delinquent Gangs* (New York: The Free Press, 1960). Historical discussions of this important book, and its

In May 1961, opportunity theory inspired the creation of the President's Committee on Juvenile Delinquency, which enlisted the participation of Lloyd Ohlin himself. The committee's main task was to distribute some $30 million over a three-year period to local "community action" programs, as authorized by the Juvenile Delinquency and Youth Offenses Control Act. The template for local projects was Mobilization for Youth, which included vocational training, public service jobs, neighborhood social service centers, employment of local residents in participating service agencies, and organization of neighborhood groups to identify and solve problems. The participation of the poor in their own uplift, along with a pointed emphasis on reforming service institutions, lent a radical edge to opportunity theory. In several American cities, as historians have chronicled, CAPs designed to fight delinquency and poverty instead provoked political battles that pitted blacks against whites, reformers against "radicals," city mayors against liberal academics, and business elites against community groups.[220]

In the conventional history, poverty swallowed up delinquency as an object of national concern, fueling local battles over ideology and funding, and providing a crucial context for the wave of urban riots of the day. This conclusion seems logical given the premises of opportunity theory, particularly its emphasis

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influence on Sixties urban programs, include Alice O'Connor, *Poverty Knowledge: Social Science, Social Policy, and the Poor in Twentieth-Century U.S. History* (Princeton: Princeton University Press, 2001), 124-136; Allen J. Matusow, *The Unraveling of America: A History of Liberalism in the 1960s* (New York: Harper & Row, 1984), 108-119; and Irwin Unger, *The Best of Intentions: The Triumphs and Failures of the Great Society Under Kennedy, Johnson, and Nixon* (New York: Doubleday, 1996), 54-69.

[220] *Ibid*.; for a Texas example, see William Clayson, "'The Barrios and the Ghettos Have Organized!' Community Action, Political Acrimony, and the War on Poverty in San Antonio," *Journal of Urban History* 28:2 (January 2002), 158-183.

upon socioeconomic rather than psychological causes for delinquency. But sociologists were more wedded to psychological theories of adolescent and family pathology than their sudden interest in "root causes" would suggest. A clear example came from Robert Sutherland, director of the UT Hogg Foundation for Mental Health and a colleague of Ohlin's on the President's Committee. In "Delinquency and Mental Health," an article in the March 1957 issue of *Federal Probation*, Sutherland outlined the psychological premises behind opportunity theory and much of antipoverty thought to come. Readers first met "Tom," a knife-wielding teenage thug. Tom belonged to a neighborhood youth gang in the inner city, and was therefore a "cultural delinquent" whose actions stemmed from a "subculture... at odds with the larger community."[221] Tom's antisocial behavior, in this formulation, resulted from his membership in a pathological subculture. But Tom was an anomaly even in this presumably deviant community, because he was afraid to fight and often resorted to bullying "little punks," even engaging in acts of gory sadism. His failure to "adjust" to the gang's rules and norms made Tom a "cultural" as well as an "emotional" delinquent. According to these categories, all delinquency ultimately represented some degree of psychological disorder, although not all "delinquency areas" automatically produced damaged teenagers. Sutherland pointed out that "some settlement houses and other group work agencies have formed a subculture within a slum area which is relatively free of delinquency." And while a few social workers had braved the dark continent of the deviant ghetto, "some of the 'better neighborhoods'" had

[221] Robert L. Sutherland, "Delinquency and Mental Health," *Federal Probation* (March 1957), reprinted by the Hogg Foundation. Sutherland Papers.

produced some of the most "reckless behavior opposed by family, church, and school." Middle-class communities were struggling to instill in their youth values of self-discipline and deferred gratification.[222] Emotional delinquency, then, could be found anywhere, while its cultural equivalent sprung from the fertile soil of the urban concrete jungle. This meant that "the psychiatrist, psychologist, clinical psychologist, and psychiatric social worker" were to play a leading role in curbing delinquency, no matter where it should appear. In urban areas, sociologists and anthropologists presumably could provide limited support.

Despite these disciplinary reservations, the President's Committee received a variety of applications. From Houston, these included the Vocational Guidance Service, a privately funded job training program; the Community Council, the largest charity-based service agency in the city; and the Neighborhood Centers Association, seemingly in the best position with personal support from Sutherland himself. Thus it came as a shock when the University of Houston (UH) suddenly announced in February 1962 that it had applied for an antidelinquency grant, hosted a meeting with Lloyd Ohlin, and secured the indispensable cooperation of the Community Council's board of directors and the Houston school board. Behind-the-scenes negotiations between the Houston Crime Commission, the county juvenile judge, and UH officials had pre-empted other applicants. The decision was apparently a foregone conclusion in favor of UH, which by April received its first installment grant of about $260,000. UH

[222] This claim echoed Albert K. Cohen's essay "Middle-Class Delinquency and the Social Structure," read at the 1957 meeting of the American Sociological Association, and reprinted in Edmund W. Vaz ed., *Middle-Class Juvenile Delinquency* (New York: Harper & Row, 1967), 203-207.

immediately announced the creation of Greater Houston Action for Youth, and its intention to include researchers and board members from the Community Council as partners in designing and running the program.[223]

UH named Richard Evans, a professor of psychology, to direct GHAY. A professional acquaintance of Hogg Foundation associate director Wayne Holtzman, Evans had moved to Houston only a few years earlier after earning his doctorate at Michigan State University. He recalls being attracted to UH by "the weather" and the opportunity to help start one of the nation's first public television stations. From the late 1950s into the 1970s, Evans interviewed several leading lights of psychology, psychiatry, and the social sciences on the UH educational channel, including Erik Erikson, Kenneth Clark, and countless others. As early as 1955, Evans moderated televised discussions of juvenile delinquency. His involvement with television convinced Evans of its potential power to influence public opinion, and led him to devote significant GHAY resources to a multimedia campaign.[224]

His appointment provoked bad feelings from his more traditionally oriented Community Council partners almost immediately, not least because Evans decided to locate GHAY's main offices in the UH psychology department.

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[223] "Houston Sole Applicant in Delinquency Fight," *Houston Chronicle*, 2/1/1962; "Community Council to Support UH Grant Bid," *Houston Post*, 2/13/1962; "School Board Gives OK to Study of Delinquency," *HC*, 2/13/1962; "Delinquency Study by U.H. to Get Review," *HC*, 2/28/1962. Clippings from both JD-HMRC and Sutherland Papers. Joseph Zarefsky to Sutherland, 2/15/1962; Sutherland notes to self, 5/8/1962; Sutherland notes from conference with Richard Evans, 7/27/1962. Sutherland Papers.

[224] Author interview with Richard Evans, 8/10/2001. "Delinquency Discussion on Channel 8," *HC*, 7/15/1955. JD-HMRC. For a compilation of some of Evans' televised interviews, see Richard I. Evans ed., *The Making of Social Psychology: Discussions with Creative Contributors* (New York: Gardner Press, 1980).

Each side began to accuse the other of sacrificing "action" on the altar of pure, rather than applied, scientific research. Joseph Zarefsky, the Council's research director and co-director of GHAY, complained to Sutherland repeatedly about "the academic approach to the planning grant."[225] For his part, Evans claimed that "many people regard the Council as a 'perpetual studier' rather than an action group."[226] Between April and October 1962, the relationship soured further, as both Evans and Zarefsky took their complaints to various officials in Washington. Finally, a frustrated Evans resigned, prompting calls from both Houston and Washington for Sutherland himself to assume the directorship of GHAY. He demurred, and managed to convince the warring parties (including Evans, who returned) to accept instead Robert Ives, appropriately a former Army general.[227] Privately, however, Sutherland regretted the President's Committee's hasty award of the planning grant to UH, which had created "a most difficult situation which probably could have been avoided."[228]

This parochial dispute was a microcosm of a broader debate in Houston over the inadequacy of social services, especially those that affected children and adolescents. State and local chapters of the National Mental Health Association recently had mounted a media campaign on behalf of expanded clinical services for children. A 1958 film, "Help Wanted," had portrayed children rotting in the

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[225] Zarefsky to Sutherland, 2/15/1962. Sutherland Papers.
[226] Sutherland notes from conference, *supra* note 86.
[227] "Ex-General to Tackle An Insidious Enemy," *Houston Press*, 8/23/1962, p.5. JD-HMRC. Zarefsky to Sutherland, 8/20 and 10/15/1962; Sutherland to Zarefsky, 10/22/1962; Sutherland to Sanford Kravitz, President's Committee, 11/21/1962. Sutherland notes from remarks at Houston delinquency staff meeting, 10/19/1962. Sutherland Papers.
[228] Sutherland to Zarefsky, 10/22/1962. Sutherland Papers.

county's dilapidated juvenile detention ward.[229] Standing squarely in the way of reform was the city's business class, whose members not only exercised decisive influence on city hall but filled the boards of directors of virtually all of Houston's service agencies. Their views were made clear in a 1959 opinion survey conducted by the Community Council, as part of a multiyear "Child Welfare Study." Twice as likely as their professional staffs to select "punishment" over "treatment" for "childhood deviations," agency boards interpreted behaviors as "causes" rather than "effects" of social environment. They also expressed a preference for voluntary over tax-based funds, and dissented from the prevailing view among their employees that existing services were inadequate.[230]

This climate of opinion confronted the architects of Greater Houston Action for Youth with lukewarm public support for a prospective "action program" intended to empower the poor and to improve the delivery of social services. Accordingly, Evans opted for a major media campaign even before a decision had been made on the location of the project's demonstration area. He hired Jane Brandenberger, a public relations representative for the United Fund, as a "media coordinator," and Mary Ellen Goodman, a UH cultural anthropologist, as a "community relations coordinator." A graduate of Columbia University in the early 1950s, Goodman had expanded on psychologist Kenneth Clark's "doll studies" showing that school segregation damaged the self-esteem of black schoolchildren. After her death in 1969, one of Goodman's former mentors,

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[229] Excerpted from "1958 Mental Health Campaign Publicity Report," Mental Health Association of Houston and Harris County. Papers of Ima Hogg. Center for American History, University of Texas at Austin.
[230] Child Welfare Study #4, 1/26/1959. HCC.

Otto Klineberg, praised her first study *Race Awareness in Young Children* (1952) as "a classic investigation" that had "played a part in the Supreme Court's desegregation decision" in *Brown v. Board of Education*.[231] Goodman functioned as GHAY's expert on the psychology and culture of the expected multiracial, multiethnic population of the eventual demonstration area. Conversely, Brandenberger's role was clearly as a liaison to service professionals, influential citizens, and the general public – in other words, white Houston. Together, Evans, Brandenberger, and Goodman devised a "media saturation" onslaught that included three feature-length films, eighteen short videos entitled "Facts About Houston's Youth," radio spots, print advertisements, and a monthly newsletter for youth-serving agencies and professionals.[232]

Entitled "Youth in Trouble," the film series was the "critical" centerpiece of GHAY's media campaign. All three local commercial television stations, as well as the UH educational station, agreed to broadcast each film in the same prime-time slot. In an age before cable and satellite television, and the Internet, this arrangement granted GHAY a near-monopoly over the attention of Houston viewers.[233] The first film, "The Lonely Ones," profiled three semi-fictitious teenagers whose stories were composites of case files from the county juvenile court: "Jimmy Johnson," a lower-class white son of a single mother; "Susie

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[231] Klineberg foreword to Mary Ellen Goodman, *The Culture of Childhood: Child's-Eye Views of Society and Culture* (New York: Columbia University Teacher's College Press, 1970), xi. See also Goodman, *Race Awareness in Small Children* (Cambridge, Mass: Addison-Wesley Press, 1952); the revised 1964 edition includes an introduction by Kenneth Clark. On Clark's role in the *Brown* case, see Richard Kluger, *Simple Justice: The History of* Brown v. Board of Education *and Black America's Struggle for Equality* (New York: Random House, 1976), 315-339.
[232] Interview with Evans. The details are in Jane Brandenberger, "Communications Outline," Greater Houston Action for Youth project folder, 10/11/1962. Sutherland Papers.
[233] *Ibid*.

Jamison," a wealthy daughter of an oil family; and "Johnny Garcia," a "Latin-American" son of immigrants. UH drama students portrayed these characters, while a probation officer narrated from his "own files." Although "The Lonely Ones" ended up as the only completed film in the series, it won acclaim outside of Houston. In September 1963, Richard Evans presented an academic paper at the annual meeting of the American Psychological Association on "A Unique Utilization of Television as a Tool of the Behavioral Scientist in Community Social Action." Evans' panel, entitled "New Dimensions Involving Behavioral Scientists in Social Action," included two Peace Corps officials and Kenneth Clark, who spoke on his soon to be ill-fated Harlem Youth Opportunities Unlimited delinquency project.[234] According to Evans, "The Lonely Ones" also won an "honorable mention" award at that year's San Francisco Film Festival.[235] Clearly, the film struck a chord with both social scientists and liberal reformers.

The film began with two brief addresses to the audience.[236] First, Evans himself testified to the film's authenticity and warned that delinquency was "far more complex than any single film could portray." These disclaimers recalled the messages attached to controversial popular films about teenagers such as *Blackboard Jungle* (1955). Where that film told the story of juvenile delinquents from a teacher's perspective, the point of view in "The Lonely Ones" was an amalgam of a psychologist and a middle-class parent. As Houston Congressman

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[234] "Proceedings of the American Psychological Association Annual Conference for 1963," *American Psychologist* (1963), 771. Evans to Sutherland, 3/12/1963. Sutherland Papers.
[235] Interview with Evans. Evans owns the only surviving copy of the film, but has expressed no desire to release it for a viewing.
[236] Unless otherwise noted, the following descriptions come from a script for "The Lonely Ones" dated October 1962. Sutherland Papers.

Albert Thomas noted on camera, "only three percent" of local teenagers broke the law, but "these eight thousand children cost you and me thousands of dollars every year." Assured that their own children were not delinquents, viewers learned that other people's kids were draining the public treasury.

The first vignette begins with a group of rather middle-class looking white teenagers who go on a drunken joyride in a stolen car (see figure 7). A police chase leads to a crash that kills all of the teenage passengers. As the narrator fulminates over the "senselessness" of the incident, a flashback tells the backstory of its architect, Jimmy. He lived in the San Felipe Courts, a public housing project located in an all-black neighborhood but designated by the city for whites only. None of this is mentioned in the film; clearly viewers were to understand that Jimmy was poor. The head of the household is a single mother with five children by four different men. She routinely parades men in front of Jimmy; one cut has her ushering a strange man into the bedroom while a troubled Jimmy looks on. Next we see Jimmy in juvenile court, a situation brought on by years of petty crime and underage drinking; bizarrely, Harris County Juvenile Judge J.W. Mills sentences the fictitious Jimmy to the Gatesville School for Boys. The film portrays Gatesville, a state juvenile training school, as a compassionate and orderly place that provides the wayward Jimmy with both education and counseling. "Flashes of sullenness and defiance," however, give telltale signs that it is already too late for Jimmy.

Figure 7: Promotional still shots from “The Lonely Ones”

“Old friends... a stolen car... a bottle of booze... and trouble was back in Jim’s life” (original caption).

“At the Texas Youth Council correctional institution in Gatesville, Texas, Jimmy went to school” (original caption).

“His life is snuffed out, too. He was quite a football star in high school last season.”

Upon his release from Gatesville, Jimmy finds that his mother has abandoned him, and so he moves in with a foster family on a country ranch. In this idealized setting, Jimmy finds happiness and “loving parents,” a fleeting state of affairs. When he returns to school, Jimmy “immediately” falls in with “the wrong kind of friends.” He fights with his foster parents, runs away to Houston, and begins committing crimes, all of which culminates in the fatal crash. As the camera lingers on the bloodied bodies of Jimmy and his friends, the narrator laments his passengers’ lost potential, as well as his “lifetime of deprivation.” Aimless and angry, Jimmy rebelled against “the lonely position,” a description that erases his material conditions and leaves only his neglectful mother to blame.

“Susie” suffers from similar problems, despite her parents’ extreme wealth. She is the illegitimate daughter of an alcoholic heiress and a deceased

businessman. Her mother has remarried, unwisely, a nightclub singer who has insinuated his way into the family. This soap opera scenario is intended to illustrate the contention that not all delinquents come from "economically deprived" homes, but this assertion of typicality seems unpersuasive. Susie's stepfather assaults her regularly while her drunken mother ignores her. By age fifteen, Susie had "slowly turned into a wanton little creature" who was sexually precocious and emotionally unstable. We see her picking a fight with another girl at school, and later "dancing suggestively" with boys; the narrator describes Susie as "a wild, sensual youngster on the surface" but "scarred" by her home life. Local service agencies like the YWCA turn her away, partly because of her "sudden twists in attitude" and partly due to her own refusal to accept help. "I'm no poor slob from the slums, looking for a hand-out from you social workers," she sneers. Soon Susie descends into addiction and prostitution, living in the slums with a junkie boyfriend. The story ends with her detoxing in the county juvenile detention ward. Again, the film lays all responsibility with selfish and corrupt parents; nowhere does it question the failure of social agencies to "reach" Susie.

Finally, the probation officer-narrator introduces his "first Latin-American case," fifteen year old Johnny Garcia. A widower, Johnny's father is nevertheless diligent, hard-working, and loving. He accepts help from the local social agencies; we see him with a Rusk social worker learning how to budget his meager income. But Johnny is often on his own, struggling to overcome "the plight of the Latin, who finds the cultural background and patterns of the Anglo-American quite varied and different from his own." Punctuating his inability to "adjust," we see

him pick a fight during a Little League baseball game. He is irrational, "hot-blooded," physically small, but basically good at heart. At age twelve, he stabs another boy in a knife fight, leading to two years on probation. At school, "patient teachers" build his "self-esteem," but then, much like Jimmy, he falls in with a bad crowd. "As angry with society as he had ever been," his new friends "rekindle... his old fear and rage of being born underprivileged... [and] denied the love of his mother." In short order, Johnny becomes "the brains" of the gang, as images flash by of the boys ransacking the rock and roll section of a record store.

After a number of crimes, the gang disintegrates in a drunken fratricidal episode. When a boy mocks Johnny's smallness, he lapses into a "distorted fury" and launches a "swift and savage" knife attack. In the ensuing melee, all filmed to the "rhythm of loud... rock and roll music," Johnny winds up accidentally killing his best friend. As the victim crumples to the floor, the music gives way to a "scratching needle:" Johnny's violent binge is over. He is a quintessential "emotional delinquent" left "caught... not by the police... but by his own conscience." The story ends with Johnny's probation officer learning by phone that he has committed suicide, while his best friend's corpse is carted off in the immediate background.

Other than the reliance on class and ethnic stereotypes, a telling aspect of the film is the paucity of dialogue allotted to the teenagers themselves. It is less interested in telling the "delinquent's own story" than in highlighting parental failures. Two of the three stories imply a solution of replacement rather than rehabilitation of parents. In Johnny Garcia's case, the absence of a mother feeds

into a larger narrative of "hypermasculinity" that social scientists of the day thought went hand-in-hand with both cultural conflict and the increasingly racialized "culture of poverty." The brief acknowledgement of socioeconomic environment seems to allow the film to emphasize individual and family disorders without appearing narrowly psychological in orientation. Even more conspicuously, the film omits any mention of racial discrimination; where once psychologists had convinced the Supreme Court that segregated schools fostered feelings of inferiority in black children, here we see a Mexican American teenager from the barrio whose lack of "self-esteem" stems only from his lack of a mother and a middle-class standard of living. Indeed, the absence of African American characters belied their overrepresentation in the Harris County juvenile probation rolls. If the interests of the presumed white audience were served in this regard, so too were those of the local social agencies that were cooperating with GHAY; in all three stories, service professionals appear as eager providers of compassion, education, and therapy.

The script's bleak conclusion became a source of further conflict amongst the GHAY staff. While Evans was directing the film in December 1962, he clashed with co-creators Brandenberger and Goodman. He wanted to rewrite the ending "to make it more hopeful," which Brandenberger deemed "too soft."[237] Both women resigned on the same day, citing a "sudden change" in GHAY's direction. In a vague and roundabout statement, Goodman recounted that she "had urged the project to deal with juvenile problems at various economic levels as

[237] "Resignations Fail to Halt Youth Film," *HC*, 12/18/1962, news clipping. Sutherland Papers.

well as in depressed and underprivileged areas – and to have the program presented to inspire a big community response as opposed to one [that] might merely be imposed on the community."[238] This objection may have been to the choice of three archetypes of delinquency with whom few viewers were likely to relate. Portrayed by clean-cut college students, the main characters came from every class background but the middle-class. The paradox was that the focus on psychological disorders placed the three characters onto terrain largely occupied by the middle-class in the 1950s and 60s, even as the facts of their stories departed from the specific experiences of most viewers.

Conclusion: Typecasting Political Protest as Youth Rebellion

On the night of May 16, 1967, Texas Southern University (TSU), a historically black college located in the heart of GHAY's demonstration area, exploded in violence. Police surrounded the campus, allegedly to arrest individuals suspected of possessing guns and intent on using them against "the duly constituted city authority."[239] A shot was fired, the source of which remains in dispute, followed by extended gunfire resulting in the death of one policeman. Police concentrated several thousand rounds of ammunition into two men's dormitories, then stormed them and arrested about five hundred students. Although police found no guns, and the initial source of gunshots remained in dispute, city officials and the white press uniformly praised police restraint and held up the dead rookie cop as a martyr of the Silent Majority's victimization

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[238] "2 Quit Youth Program in Policy Differences," *HP*, 12/19/1962, news clipping. Sutherland Papers.

[239] See John S. Lash et al., *Texas Southern University: From Separation to Special Designation* (Houston: Texas Southern University, 1975), 33-34.

from Sixties political violence. Houston Mayor Louie Welch accused the TSU administration of lax discipline; onetime "get-tough" juvenile judge and current City Councilman Bill Elliott charged "outside agitators" with planning the riot; Texas Governor John Connally contemplated closing the university down; and District Representative George Bush called for "law and order."[240] *Newsweek* dubbed the episode "a Happening of the Stokely Generation," a reference to recent visits from James Forman and Stokely Carmichael of the Student Non-Violent Coordinating Committee (SNCC).[241] By 1967, SNCC had come to embody a more militant and identity-based African American social movement, which seemed to give license to white officials who expected black protest to turn violent. Later reports, however, found not only that police had initiated most of the violence, but that a ricocheting police bullet had been responsible for the one police fatality. Black community leaders such as the Reverend William Lawson, and the five TSU students arrested and then released on murder charges, later remembered it as a police riot.[242]

Liberal-minded observers familiar with race relations in Houston, and with TSU specifically, were also taken aback. In 1947, the Texas legislature had chartered TSU in Houston's Fifth Ward in a last-ditch effort to avoid compliance with an imminent Supreme Court order desegregating the University of Texas.[243]

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[240] "5 Charged in TSU Riot Fatal to Young Officer," *Houston Post*, 5/18/1967, p.1; "Elliott Claims TSU Riot 'Premeditated,'" *HP*, 5/20/1967.
[241] "The Stokely Generation," *Newsweek* 49:22 (5/29/1967), p.24-25.
[242] Bill Helmer, "Nightmare in Houston," *Texas Observer*, 6/9-23/1967, p.1-6; Leslie Linthicum, "Nightmare at TSU in '67 Still Spawns Controversy," *Houston Post*, 5/11/1987, p.1. On SNCC, see Clayborne Carson, *In Struggle: SNCC and the Black Awakening of the 1960s* (1981).
[243] The case, of course, was *Sweatt v. Painter*, decided by the Court in 1950. See Lash, *Texas Southern University*.

While historically black colleges such as Fisk and Howard seethed with civil rights activity in subsequent years, TSU shared with much of black Houston a reputation for apathy; one liberal journalist had pronounced the city's blacks "among the most politically docile and backward in the South, if not the nation." SNCC organizers likewise had been frustrated in earlier efforts to mobilize Houston's large black population.[244]

If nothing else, the TSU shoot-out undercut this presumption of racial consensus. "Few TSU students actually fired on the police," observed *Newsweek*, "but a good many more talked as if they wished they had." The article quoted one student at length: "Kill some more of 'em… This is a new day, honkie. And this is a new Negro. We're not afraid of you – and we're not running anymore."[245] Grievances long ignored in the white press came to the surface. Only a few days earlier, the drowning of a child in a landfill located in the nearby Sunnyside neighborhood had sparked protests. The morning of the TSU standoff, students and SNCC activists had blocked garbage trucks from entering the landfill. At a nearby middle school, protesters objected to the suspension of black students for fighting with white students. Student activists also mounted grievances on the TSU campus, including the revocation of SNCC's status as a student organization; the hiring of black faculty; police brutality; and the refusal to close

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[244] Saul Friedman, "Houston, a Backwater of the Revolt," *Texas Observer*, 11/15/1963, p.8-10. On the historic reputation of apathy, see James M. SoRelle, "Race Relations in 'Heavenly Houston,'" *Black Dixie*, 175-191. In fact, TSU students led sit-ins that successfully desegregated lunch counters in downtown Houston, often against the wishes of black TSU administrators. See F. Kenneth Jensen, "The Houston Sit-In Movement of 1960-61," *Black Dixie*, 211-222. For a penetrating personal reminiscence, see Part One of Thomas R. Cole, *No Color is My Kind: The Life of Eldrewey Stearns and the Integration of Houston* (Austin: University of Texas Press, 1997).

[245] "The Stokely Generation," *supra* note 104.

Wheeler Avenue, a main thoroughfare that ran right through the middle of the TSU campus.

Several leading SNCC "militants" were paid employees of the Harris County Community Action Association (HCCAA), an antipoverty agency funded by the Office for Economic Opportunity. HCCAA director Samuel Price was one of the star witnesses of the Houston delegation that testified before the U.S. Senate committee on urban riots in November 1967.[246] A TSU graduate, Price had worked for the Neighborhood Centers Association for thirteen years before becoming involved with Greater Houston Action for Youth in spring 1962. He claimed to have "more or less designed" GHAY, the direct precursor to his antipoverty program.

Blair Justice, a sociologist at Rice University and advisor to Mayor Welch on race relations, surveyed the opinions of high school and college age African-Americans twice in 1967, before and after the TSU "riot."[247] He found about two-thirds in favor of "SNCC Black Power" initially, a number that "rose sharply… off and on campus" after May. Justice's task was to take the pulse of Houston's black community and find out if an urban uprising on the order of Watts was imminent. In analyzing his results, Justice turned largely to the field of adolescent psychology. He argued that the "identity crisis" was especially painful

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[246] Unless otherwise noted, the following discussion comes from Testimony of Samuel L. Price, *Riots, Civil and Criminal Disorders: Hearings Before the Permanent Subcommittee on Investigations of the Committee on Government Operations*. U.S. Congress. 90th Congress. 1st Session. November 1, 2, 3, and 6, 1967. Part 1 (Washington, D.C.: U.S. Government Printing Office, 1967), 61-144. A brief summary of the TSU incident appeared in U.S. National Advisory Commission on Civil Disorders, *Report of the National Advisory Commission on Civil Disorders* (New York: Bantam Books, 1968), 40-41.

[247] The following section comes from Blair Justice, *Violence in the City* (Texas Christian University Press, 1969); and Justice's testimony in *Riots, Civil and Criminal Disorders*, 310-340.

for black adolescents, some of whom resorted to compensatory "negative identities;" Justice provides extended sketches of two such "types" – the political activist found on college campuses and the juvenile delinquent or criminal found on ghetto streets - which he labels, respectively, "the black revolutionary" and "the rebel without a cause." In his mind, these types corresponded to the leaders and the followers in urban mobs. Both suffered from a version of inferiority complex, according to Justice. For him, black separatism represented a deep insecurity about competing with better-prepared whites in the academic and economic marketplace; Black Power specifically relied on an exaggerated masculinity that reacted against generations of being called "boy." The black "rebel," in Justice's hands, saw in mob rioting an outlet for inchoate frustration and a source of "kicks." Justice circulated these opinions in a lengthy published study, *Violence in the City*, and in Senate testimony.

Why did city officials respond to well-grounded protests with what seem to have been demeaning psychoanalyses based on adolescent "storm and stress?" Although there are many reasons, the precedent set by Greater Houston Action for Youth is important. In the years following the melodramatic infighting of the professionals, and the lofty promises of "action," GHAY produced three massive reports.[248] They revealed data on Houston's paucity of publicly-financed social services; outlined "action" programs that involved community residents with

[248] The following discussion summarizes these reports: "Greater Houston Action for Youth: A Community Project to Plan for the Prevention and Control of Delinquency Sponsored by University of Houston and Community Council of Houston and Harris County," January 1964; "Houston Action for Youth: Application for a Community Action Program," May 27, 1965; "Houston Action for Youth: Application for Renewal of a Community Action Program," May 23, 1966. HMRC.

private welfare agencies; and described the Houston Independent School District's eventual willingness to support federal programs such as Head Start. More fundamentally, they described the demonstration area itself while including very little qualitative detail about the people that lived there. The results of various opinion surveys appeared without so much as a quote from their participants, and the wishes of "community leaders" came across in vague, third person prose. This rhetorical style comported nicely with GHAY's assumption that the residents lacked "competence," belonged to a "culture of poverty," and therefore needed to learn most the art of "self-help." The "bootstraps" emphasis became even more pronounced after GHAY's first year, when most of the UH academics, including Richard Evans, departed and left the reins in the hands of the older social workers affiliated with the Community Council. Where Evans had stressed fostering "self-determination" among community residents, later reports ventured down the slippery slope to an older notion of self-help that, in Evans' recollection, simply perpetuated a form of dependency upon private welfare agencies.[249]

Citing the Neighborhood Centers Association's project in Clayton Homes, which sat adjacent to GHAY's demonstration area, Evans fashioned a program based on the idea of the "therapeutic community." But he added a second approach, a "correctional community" – language that evoked a prison without walls, or, more precisely, a juvenile reform school.[250] Only a few hours' drive away, the Gatesville juvenile complex used walls, barbed wire fences, and armed

[249] Author interview with Evans.
[250] "Greater Houston Action for Youth" (1964), 215-216.

guards on horseback to contain an inmate population that included a disproportionate number of black teenagers from GHAY's demonstration area. Evans' metaphor implied that the boundaries were equally firm, if not quite as visible, in Houston's inner-city neighborhoods. Although a history of racism, structural inequality, and police force hemmed in Houston's ghettos and barrios, GHAY's reports (especially after Evans' departure) consistently followed the prevailing social thought that the urban poor's imprisonment was their own doing. Adults and teenagers alike were "delinquents" suffering from arrested development, in need of "life skills" and therapeutic services rather than political empowerment.

By 1966, the final year of GHAY's existence, it was clear that the project had accomplished little. The final report provided statistics that showed little improvement in the rates for crime, juvenile delinquency, or poverty in the demonstration area. So detached was GHAY from its initial "scientific" mission that it failed to generate its own data on its client population. Its most precise and developed data came from the U.S. Census, the Harris County Probation Department, and city welfare agencies. The only real activities described in the 1966 report were neighborhood clubs, discussion groups, vocational programs, and Head Start and child care services. Instead of creating "opportunity" for downtrodden teenagers, GHAY had become a glorified service coordination agency.[251]

[251] See 1966 report.

A lesson learned from the struggles of the delinquency and poverty programs was that no one academic discipline held a monopoly on solutions to urban problems. In 1964, Robert Sutherland joined with Lloyd Ohlin and Judge David Bazelon of the D.C. Circuit Court of Appeals in calling for interdisciplinary solutions to urban crime. The Southwest Center for Law and the Behavioral Sciences, opened that year on the UT campus, offered training courses for police officers (most notably from Houston under GHAY's sponsorship).

Reformers, many with good intentions, had subordinated the actual needs of children and teenagers while reducing the adult population to the status of a collective and unruly adolescence. At the Houston Settlement Association, young people were divided into "teenagers" and "at-risk" youth, in a way that seemed logical at the time but has contributed to the tendency to view young people of color as adults rather than teenagers. Simultaneously, the adult population of inner city neighborhoods increasingly inhabited notions of "underdevelopment" or delayed adolescence. Both the settlements and the 1960s' community action movement embraced the notion of a "therapeutic community" that resembled nothing so much as a juvenile reform school. Perhaps this made sense because the teenagers who lived in urban areas were filling up Texas' state juvenile reform schools in growing numbers. As we shall see, therapeutic ideas based on "child mental health" made their way into the juvenile justice system in Texas, but often papered over practices that were brutal and damaging for adolescents. To invoke the reform school in neighborhood work was to inspire mistrust in residents for

whom the Texas juvenile justice institutions held a fearsome reputation that had little to with “development” or “rehabilitation.”

Chapter 4: *Ministering to "Hurt, Frightened, Children": The Rise and Fall of the Texas Youth Council, 1949-1971*

In his 1964 autobiography, *My Shadow Ran Fast*, ex-convict Bill Sands introduced American readers to the Preston State Reformatory in California. Located in a remote, desolate area, Preston operated under military-style discipline and a ranking system based on toughness. Preston boys fought each other for the pleasure of their jailers, endured severe punishments for minor transgressions, and spent long hours laboring in oppressively hot weather. This system usually bludgeoned new inmates into submission; however, Sands rebelled against it. He attacked guards, laughing at them as they dragged him off to solitary confinement. Later he escaped Preston, only to return voluntarily in order to mock his would-be captors further. Thanks to the intervention of his father, a prominent local judge, Sands eventually won his release. Praising Sands' "excellent progress" in Preston, a juvenile judge pronounced him rehabilitated. "Who was he kidding?" sneered Sands. He "scoffed at what was termed 'justice'" and used "lessons learned in Preston" to commit a series of armed robberies.[252] Soon after, Sands landed in San Quentin Prison, where only a fortuitous encounter with a sympathetic warden transformed him from a career criminal into a lifelong counselor of prisoners and ex-convicts.

It wasn't supposed to work this way. The Preston State Reformatory belonged to the California Youth Authority, a state agency created in a national

[252] Bill Sands (Wilbur Powell Sewell), *My Shadow Ran Fast* (Englewood Cliffs, NJ: Prentice-Hall, 1964), 17-22.

wave of criminal justice reform during the 1940s. The template for the CYA was the Model Youth Correction Authority Act, authored and disseminated by the American Law Institute (a New York based consortium of criminal justice experts) in 1941. The Act's genesis came from a 1938 study of the Tombs prison in New York, which found that "youthful offenders" aged 16-21 suffered "disastrous" emotional damage behind bars. But while the Act aimed to treat nonviolent young adult offenders separately from more hardened criminals, state legislatures used it as a blueprint to expand and reorganize existing juvenile justice institutions. In California, Texas, Minnesota, Wisconsin, Massachusetts, and the District of Columbia, previously separate training schools for delinquents now fell under the purview of a single state agency. The youth authority flexed intellectual as well as legal muscle, setting up programs based on the latest scientific knowledge about human behavior. In this new regime, young offenders like Sands were to receive "genuine treatment" instead of the "retributive punishment" that, according to the Law Institute's reformers, had characterized training schools for decades.[253] Staffed and run by mental health professionals, the state youth authority was to provide an individualized treatment program based on a careful diagnosis. Additionally, the youth authority was to promulgate neighborhood youth programs to keep teenagers out of trouble and effect rehabilitation outside the walls of the training school. Lowering the inmate populations of training schools, thought policymakers, would create more

[253] Bertram M. Beck, *Five States: A Study of the Youth Authority Program as Promulgated by the American Law Institute* (Philadelphia, PA: American Law Institute, 1951), 3-4. An additional resource on the rise of the "youth authority" model is Robert H. Bremner ed., *Children and Youth in America: A Documentary History* (4 vols., vol. 3, Cambridge: Harvard University Press, 1974), 1060-1068.

favorable staff-inmate ratios and put an end to the mass-custody feel of the institution. In turn, juvenile justice would edge closer to its historic goal of rehabilitation.[254]

Published nearly twenty years after the creation of the California Youth Authority, *My Shadow Ran Fast* suggests that the experiment was a failure. Sands describes poorly educated, thuggish guards, as well as practices that seem to bear little relationship to rehabilitation. His story was neither the first nor the last of its kind; to this day, institutions that brutalize and fail troubled youth surface in news reports with disturbing regularity.[255] However, Sands' book appeared in the forefront of a historic shift in attitudes toward the juvenile delinquent. If the decade of the 1950s was an "age of experts," the 1960s and 70s comprised a time when many Americans, particularly those of college age, increasingly questioned the authority of official experts. While young counterculturalists and New Leftists rejected their parents' assumptions about a "normal" coming of age, a generation of reformers sought to hold juvenile justice accountable for ensuring a "normal" adolescence for its charges. By the mid-1970s, this "loose coalition of concerned parents, older students, citizen and professional advocates, and public officials" had formed what the child welfare administrator Peter Edelman would dub "the children's rights movement."[256]

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[254] *Ibid*.

[255] In summer 2003, a federal investigation into abuses at the Mississippi juvenile training schools prompted one reporter to note that similar scandals have occurred recently in Arizona, Arkansas, California, Georgia, Louisiana, Maryland, and South Dakota. David M. Halbfinger, "Care of Juvenile Offenders in Mississippi is Faulted," *New York Times*, 9/1/2003, p.A13.

[256] Peter Edelman, "The Children's Rights Movement," editorial, *New York Times*, circa 1975, reprinted in Beatrice and Ronald Gross eds., *The Children's Rights Movement: Overcoming the Oppression of Young People* (Garden City, NY: Anchor Books, 1977), 203-205. On the various

To speak of children's rights was to invoke the ideals that had animated the so-called "child savers" of the Progressive Era. Social reforms such as the juvenile court, lowering the age of consent, compulsory schooling, ending child labor, and mothers' pensions, together articulated what the historian Kriste Lindenmeyer has called "a right to childhood."[257] In 1912, this idea found an institutional home in the federal Children's Bureau, which conducted studies of children and youth, drafted and lobbied for reform legislation, and disseminated information about the dangers threatening the physical and moral health of youth. They believed that a rational state could and should act "in the best interests of the child," even assuming the role of surrogate parent, particularly for the children working-class and single-mother households.[258] In the juvenile court, this principle was encoded in the English legal doctrine of *parens patriae*, which gave the state the right to intervene in family matters to safeguard a child's welfare.[259]

A right to childhood, based largely on a notion of child welfare, differed significantly from "children's rights," which drew upon the civil rights and identity-based social movements of the 1960s. Child welfare required the use of scientifically managed institutions for "dependent and delinquent" youth;

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youth revolts of the 1960s, the best recent synthesis is Maurice Isserman and Michael Kazin, *America Divided: The Civil War of the 1960s* (New York: Oxford University Press, 2000).

[257] Kriste Lindenmeyer, *"A Right to Childhood": The U.S. Children's Bureau and Child Welfare, 1912-1946* (Urbana, IL: University of Illinois Press, 1997).

[258] Julia Lathrop and Grace Abbott, respectively the first two directors of the Children's Bureau, brought this perspective to their successful advocacy for the Aid for Families with Dependent Children portion of the 1935 Social Security Act. See Linda Gordon, *Pitied But Not Entitled: Single Mothers and the History of Welfare, 1890-1935* (New York: The Free Press, 1994).

[259] On the social thought behind the invention of juvenile justice, see Anthony M. Platt, *The Child Savers: The Invention of Delinquency* (Chicago: University of Chicago, 1969); Robert M. Mennel, *Thorns and Thistles: Juvenile Delinquents in the United States, 1825-1940* (Hanover: University Press of New England, 1973); and, most recently, Anne Meis Knupfer, *Reform and Resistance: Gender, Delinquency, and America's First Juvenile Court* (New York: Routledge, 2001).

children's rights often called for the liberation of young people from those same institutions. Both concepts admitted the developmental uniqueness of childhood and adolescence; however, the cultural idea of the "teenager" and the psychological theory of identity formation, both of which gained widespread acceptance after World War II, separated children's rights activists from their Progressive Era predecessors. Nowhere was this distinction clearer than in the civil rights-era rash of public attacks and lawsuits directed at juvenile training schools, which accused them of obstructing rather than clearing the path to a "normal" coming of age. Journalists, legislators, parents, attorneys, and younger social scientists regularly combined the rhetoric of rights with language drawn from Erik Erikson's writings on adolescent identity. In the case of black and Latino youth, who comprised an outsized percentage of juvenile inmates, critics evaluated the damage done to individual identity partly by way of institutional discrimination. Class-action lawsuits, most notably *Morales v. Turman* (1974) in Texas, demanded that juvenile training schools either make massive changes or shut down altogether.

But the children's rights movement mounted far more than a legal challenge to established practices. Through the mass media, activists and advocates sought to change the way Americans thought about young people in trouble. Protracted reform campaigns often preceded the filing of lawsuits against local and state agencies. Critics of juvenile justice testified before legislative committees, helped create damning television documentaries, and mobilized parent and citizen groups. The scope of this activity suggests the extent to which

officially constituted experts had monopolized public discourse about juvenile delinquency. Like their critics, these entrenched professionals had addressed discrete audiences with well-crafted appeals to popular fears about juvenile crime; citizen groups' concerns about the rehabilitation of troubled youth; professional organizations' searching for contributions to scientific knowledge about delinquency and corrections; and governments' interests in law and order, achieved efficiently and on a low budget.

This chapter tells an emblematic story from the "prehistory" of the children's rights campaigns, focusing on the heyday of the "youth authority" approach to juvenile delinquency in Texas, which instituted one of the earliest model agencies in 1949 and became a battleground state for children's rights two decades later. Part One explores the Texas State Youth Development Council's public relations campaign of the early 1950s. Officials embarked on barnstorming tours across the state, urging citizen groups in cities and towns to support taxpayer-financed reforms of institutions. Often these changes simply cast a scientific veneer over damaging practices such as racial segregation or excessive use of physical force, a trend that boded ill for the Youth Council because the inmate population grew increasingly urban and nonwhite in the postwar decades. Perhaps not surprisingly, then, a black legislator helped lead an investigation of the Youth Council in the late 1960s, the subject of Section Two. I explore the dueling representations of the juvenile delinquent that accompanied a debate waged in the print and electronic media. In the face of mounting public criticism, the Youth Council's connections to powerful state politicians staved off an

embarrassing investigation. This victory proved temporary, as demonstrated in Section Three, where I describe the events leading up to *Morales v. Turman*, a class-action lawsuit filed on behalf of incarcerated juveniles in February 1971. By then, the Youth Council had lost control over portrayals of both itself and the group of young people it purported to serve. Once viewed as a caring but tough surrogate parent to wayward youth, the Youth Council increasingly appeared to produce the kind of "maladjustment" that it had been created to correct.

The invention of "child mental health" forms a crucial component to this story. The Hogg Foundation for Mental Health represented an institutional home for academic research on the subject; the Houston Settlement Association put its "action" theories into practice. The men who launched the Texas State Youth Development Council in the 1940s and 50s held graduate degrees from the University of Texas and had studied under Hogg Foundation associates. They envisioned the Youth Council as an instrument through which child mental health could, at long last, be applied on a systematic basis to its original target population: juvenile delinquents. In the process, they set a standard for treatment that proved difficult to achieve in practice. Individual prejudices, budgetary problems, and professional ambitions combined to perpetuate and even expand the use of lockdown institutions that mixed nonserious with violent offenders. At the same time, the Youth Council's public statements echoed other child mental health spokespersons in promulgating a more compassionate way of talking about troubled teenagers. While the discursive juvenile delinquent increasingly became

an object of sympathy, the juvenile inmate languished in a prison environment that too often taught self-destructive lessons, as in the case of Bill Sands.

I. "Child by Child We Build a Nation": Reforming Juvenile Justice, 1949-1957

> The delinquent boy is the most misunderstood, misrepresented, misguided and mistreated individual in Texas… The criminologist analyzes and classifies him. The philosophers theorize and speculate about him. The sentimentalists weep over and mollycoddle him. The politician rants and raves over him. The preacher advises and admonishes him. The club women advise and criticize the management of him. The policeman watches and chases him. His mother scolds and pets him. His father knocks and kicks him. His family is ashamed of him. The world has it in for him and a devil of a bit of difference does it make to him. He is an animated junkheap, a veritable Ishmaelite, a wild man, whose hand is against every man and every man's hand is against him.[260]

So spoke A.W. Eddins, the superintendent of the Gatesville State Juvenile Training School for Boys, before an audience of San Antonio teachers in November 1914. From his bully pulpit, Eddins portrayed the juvenile delinquent (usually presumed to be male) as a "rebel without a cause," the product of a society in which traditional pathways to adult manhood had begun to disappear. For Eddins, the clearest example of these broad changes was the replacement of paid labor with compulsory school attendance, which subjected adolescent boys to "lax, uncertain, makeshift discipline" and "laws that are never enforced." Mocking the "play-like work" of urban vocational high schools, Eddins called for "four hours of honest manual labor every day." Boys in trouble came predominantly from the city because, in his view, the average country boy worked "in the fields with his father or on the chores about the house." Eddins concluded

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[260] "Assails Schools for Neglect of Delinquent Boys," *San Antonio Express*, November 29, 1914. "Juvenile Delinquency" Vertical File, CAH.

his diatribe by admonishing public schoolteachers to "make men rather than scholars" and "pay more attention to character."[261]

Eddins correctly identified the trend toward full-time education for adolescents, and the ways in which it created what the historian Joseph Kett has called "semi-dependency" upon adults.[262] Moreover, he joined this criticism with fears that the progressive curriculum derived from the pedagogical experiments of John Dewey subjected boys to emasculating "play work" and thus inspired delinquent behavior.[263] The antidote for boy victims of the new schooling was located in the yeoman past, in what Eddins called "stern discipline of the old Puritan home." His predecessors had felt the same way when they located America's first juvenile reformatories in the countryside; recall also the Children's Aid Society program of relocating urban "street Arabs" in rural foster homes. Compulsory schooling and curriculum reform merely added to the list of reasons for locating juvenile training schools in the "virtuous" countryside.[264]

Eddins presided over an institution that exemplified such viewpoints. The Gatesville State School for Boys, originally named the House of Correction and Reformatory, was located a couple of miles outside of the small town of Gatesville in east Texas, on a plot of land that had enamored the state

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[261] *Ibid*.
[262] Joseph F. Kett, *Rites of Passage: Adolescence in America, 1790 to the Present* (New York: Basic Books, 1977).
[263] This fear would become far more pronounced in the 1950s. See Herbert M. Kliebard, *The Struggle for the American Curriculum, 1893-1958* (New York: Routledge, 1995), 222-226.
[264] Two prominent Jacksonian-era examples include the Lowell textile mills, located in the Massachusetts countryside and staffed by adolescent and young adult women; and asylums for the insane. See John F. Kasson, *Civilizing the Machine: Technology and Republican Values in America, 1776-1900* (New York: Penguin Books, 1977), 53-106; and David J. Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Little, Brown, & Co., 1971).

commissioners who had selected it in 1887. "The lay of the land is most beautiful," wrote one, "and commands the most beautiful and picturesque scenery we have ever had the pleasure of witnessing."[265] Within a year the facility was up and running; inmates lived, studied, and worked in two buildings "of imposing appearance and pleasing to the eye, [with] scarcely a resemblance to a prison."[266] In its first fifty years, Gatesville offered its boys moral uplift through hard work, strict discipline, vocational training, and religious instruction. A 1932 yearbook, disseminated to the parents of juvenile inmates, trumpets the school's virtues in language that had changed little over the years. Photographs of dour-faced ministerial administrators appear above captions describing their "diligence, force, and thrift." The school's exterior radiates order and harmony; grim-faced boys are pictured working in various vocational shops, marching in military formations, and posing inside their "meticulously scrubbed" dormitories. Relegated to the back of the book is the Jim Crow dormitory, a small and obscurely located one-room building into which nearly two hundred black teenagers crowded every night. The final image, entitled "A Gala Occasion," shows two boys dressed in suits alongside the superintendent. "Godspeed in their efforts," reads the caption, "to face the battles of life in a manly courageous way."[267] One parolee smiles mischievously while reclined comfortably in a chair, indicating, perhaps, a boy who has not yet inculcated the lessons of Gatesville.

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[265] *Report of the Commissioners and Trustees of the House of Correction and Reformatory, located at Gatesville, Coryell County* (Austin: State Printing House, 1888), 1-2. Texas Youth Commission Facilities and Programs History and Information Notebooks. Archives and Information Services Division, Texas State Library and Archives Commission (hereafter TYC Notebooks).

[266] *Ibid*.

[267] *Gatesville State Juvenile Training School Pictorial Review* (circa 1932). TYC Notebooks.

A decade and a half later, Gatesville's approach to the juvenile delinquent underwent a major overhaul. In 1948, the Texas legislature created the Training School Code Commission to investigate a host of failings attributed to the state's institutions for juvenile delinquents. One-third to one-half of all inmates at the state schools were repeat offenders; a survey of the state's prisons found that over half of all adult criminals convicted in the previous decade were "graduates" of the schools for juvenile delinquents. So notorious were the state schools' reputations that many juvenile judges had become reluctant to commit all but the most violent offenders, even in the face of rising juvenile crime. At Gatesville, the physical plant had fallen into disrepair. Electrical outages were commonplace, while the cafeteria and hospital were dangerously unsanitary. Equally out of date were brutal and bizarre punishments, notorious among guards and inmates but less well known on the outside. Perhaps the worst of these was the "water cure," in which guards fired a high-pressure hose at the groin of any boy unfortunate enough to break the wrong rules. Delinquent girls also had become the subjects of inventive, near medieval style punishments. At the Gainesville Training School for Girls, located near Dallas, potential runaways were made to wear ankle chains and sometimes had their heads shaven by guards.[268]

Texas was hardly alone in harboring such well-publicized abuses. Albert Deutsch, the author of a best-selling expose of institutions for the mentally ill, turned his muckraking pen to the subject of the nation's juvenile training schools in *Our Rejected Children* (1950). His detailed compilation of horror stories,

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[268] *Child By Child We Build a Nation: A Youth Development Plan for the State of Texas* (Texas Training School Code Commission, 1949), 9-25. TYC Notebooks.

punctuated by the tale of a Kansas girls' school that sterilized its most "ungovernable" inmates, prompted Deutsch to pronounce the American training school "a disgraceful blot on a democratic and rich society."[269] However, Deutsch spared one agency from criticism: the California Youth Authority. Deutsch was especially impressed with the CYA's use of scientific methods of diagnosis, classification, and treatment, which he credited with cutting down on abuses of inmates. A major influence on Deutsch was Austin MacCormick, a criminologist, member of the American Law Institute, and leading authority on corrections reform. MacCormick headed the Osborne Foundation, which had sponsored investigations of juvenile training schools in the 1930s, and was a leading proponent of ending corporal punishment. Writing in the preface to Deutsch's book, he acknowledged the obstacles to reform. The public either supported or ignored practices that a growing number of experts deemed, at best, age-inappropriate. It fell to younger professionals, therefore, to arouse the collective conscience of the populace. MacCormick urged younger professionals toward a more activist role in enacting reforms. Their task, he wrote, was to teach Americans to view the juvenile delinquent as "a human being... with the warmth of human understanding and not merely through the eyes of cold science."[270]

As a roving consultant, MacCormick developed a relationship with the Texas Youth Council that would last for over two decades. In 1948-49, he worked closely with Walter Kinsolving Kerr on *Child by Child We Build a Nation*, a

[269] Albert Deutsch, *Our Rejected Children* (Boston: Little, Brown, and Co., 1950), 3. Other exposes of institutions for delinquents included the following: Paul Tappan, *Delinquent Girls in Court* (1947) and Benjamin Fine, *1,000,000 Delinquents* (1955).
[270] *Ibid*., vi. On MacCormick's earlier reform work, see Rothman, *Conscience and Convenience*, 280-281.

report that served as a blueprint for the Youth Council. Kerr was vice-chairman of the Texas Training School Code Commission and became the agency's first director in 1949. His background, while not suggestive of a person destined to become a youth expert, nevertheless prepared Kerr well for the position. The son of a lumber and cotton businessman from East Texas, Kerr often had displayed a knack for performing in front of audiences. He had starred on his high school football team in Teague, Texas, and served as president of the University Light Opera Company for three years while pursuing a law degree at the University of Texas, which he obtained in 1937. Instead of practicing law, however, Kerr abruptly moved to New York City to pursue a career in theatre or radio. Within a year, he returned with a new bride and opened a law practice in Lufkin. Soon he was working on the staff of Democratic governor Coke Stevenson, a job that brought Kerr to Austin, which was in the midst of reforming its county services for juveniles.[271] In 1948, Kerr convinced county officials to support the construction of a new juvenile detention center in south Austin, and wrote a Master's thesis in sociology about his effort.[272] During this time, Kerr became the pastor of the Central Methodist Church near the UT campus, chairing the church's "social action committee" and gaining access to local and state power brokers.[273] Well-connected and conversant with government bureaucracy, social science, and moral suasion, Kerr proved an ideal choice to spearhead the Texas reform effort.

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[271] "A Crusader for Freedom," *Dallas Herald*, 10/21/1962. "Walter K. Kerr" Vertical File, CAH.
[272] Walter Kinsolving Kerr, "Juvenile Detention in Austin and Travis County" (unpublished MA thesis, University of Texas at Austin, 1949).
[273] "Jester Will Recommend Adoption of Extensive Youth Program," *Houston Chronicle*, 2/6/1949. Scrapbooks, State Youth Development Council, 1949-1955. Archives and Information Services Division. Texas State Library and Archives Commission (hereafter TYC Scrapbooks).

As the Youth Council legislation made its way through the ratification process in early 1949, Kerr made several public appearances to tout its contributions to public safety, the salvation of wayward youth, and modernization of juvenile facilities, all with a low price tag.[274]

[274] "16-Member State Youth Council Urged," *Houston Post*, 2/6/1949; "Jester Will Offer Delinquency Plan," *Big Spring Herald*, 2/6/49; "Integration of State and Local Child Agencies Urged by Group," *Fort Worth Star-Telegram*, 2/8/1949; "New Plan for Youths," *Abilene Reporter News*, 2/15/49; "Youth Development Measure Filed With Aim of Correcting Delinquency" *Austin American-Statesman*, 2/18/49; "New Juvenile Bill," *San Angelo Standard Times*, 3/19/49. TYC Scrapbooks.

Figure 8: “Where Credit Is Due.” Editorial cartoon, *Tyler Morning Telegraph* (May 1951).

Community-based youth programs were the early focus of the Texas State Youth Development Council, which portrayed the typical juvenile delinquent as white and the social problem of juvenile delinquency as a product of bad parenting. Courtesy of the Texas State Archives

Figure 9: "Why Do They Stray?" Editorial cartoon, *Austin Statesman* (August 1950).

This cartoon accompanied an editorial that made an impassioned case for the Youth Council's recreation programs. "A freckle-faced boy, no matter how straight his mind would be... has no chance to grow up in a hopeless home and neighborhood environment to self-respect and a decent place in society." Note that the figure of "crime" is represented by a woman. Courtesy of the Texas State Archives.

A key selling point for the Youth Council was its community service program, which provided roughly two hundred counties with field consultations in the agency's first year (September 1949-August 1950). Juvenile court procedures varied wildly across the state; some rural counties went without a juvenile court altogether. All but the largest cities lacked juvenile probation departments and detention centers, which meant that teenage offenders often awaited trials alongside adults in county jails. Prevention programs were virtually non-existent; of over seven hundred incorporated communities, only about twenty maintained public recreation services.[275] "Thousands of children are prone to join the 'street corner society,'" warned the Youth Council's first annual report. "Our future depends largely upon how we use our leisure time."[276] City councils from metropolitan areas and small towns alike solicited survey reports from the state's experts as a first step to launching public swimming pools, summer camps, and afterschool programs. Visiting consultants often helped spark the restoration of teen canteens that had been closed at the end of World War II. Such community outreach won over county governments as well as a significant segment of the

[275] Texas State Youth Development Council, *First Annual Report of the State Youth Development Council to the Governor, Fiscal Year Ended August 31, 1950* (Austin, TX, 1950), 12.
[276] *Ibid*., 14.

populace (see figures 8 and 9).[277] In its first two years, the Youth Council helped start twenty-two new county recreation departments.[278]

Adding to its professional credentials, the Youth Council led the Texas delegation to the Midcentury White House Conference on Children and Youth. Director Walter Kerr served as Vice Chairman of the national Conference Committee on State and Local Action, which examined on a state-by-state basis needs in education, recreation, mental health, housing, and juvenile justice. To a great extent, the Committee's report displayed the dominance of child mental health over all aspects of planning on juvenile delinquency. Supervised recreation, school counseling, and clinical therapy comprised the spectrum of prevention. Placement of an adjudged juvenile delinquent increasingly relied upon a classification system based on a psychiatric diagnosis. The training school itself was to offer a controlled environment for the schooling, recreation, and therapy that presumably had been lacking on the outside, and thus provide rehabilitation.[279]

Another way in which local communities encountered the Youth Council was through its mobile diagnostic clinic, which traveled to eight counties between

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[277] "Youth Center Made No. 1 Project of Youth Development Council," *Bonham Daily Favorite*, 1/23/1951; "State Leaders Here to Launch Survey of Port Arthur's Facilities for Youth," *Port Arthur News*, 2/7/1951; "Specialist to Help Plan Recreation Program Here," *Lufkin Daily News*, 3/13/1951; "TYDC Offers Aid in Youth Work, If It Is Needed," *Childress Index*, 3/23/1951; "State Youth Council Leader to Talk at Mission Meeting," *McAllen Valley Evening Monitor*, 4/5/1951; "Smith County To Get Added Juvenile Aid," *Tyler Morning Telegraph*, 5/3/1951, "Major Needs of Youth Outlined," *Amarillo Globe-News*, 5/22/1951. TYC Scrapbooks.
[278] Texas State Youth Development Council, *Second Annual Report of the State Youth Development Council to the Governor, Fiscal Year Ended August 31, 1951* (Austin, TX, 1951), 19.
[279] *Citizens in Action: Report on State and Local Action to the Midcentury White House Conference on Children and Youth, December 3-7, 1950* (Washington, D.C., 1951).

March and August 1951. The project was consistent with the Hogg Foundation's campaign to raise awareness of mental health in small towns that lacked psychiatric services, reflecting the training of the clinical psychologist who headed up the mobile clinic. James Aubrey Turman had completed his Master's degree in psychology at the University of Texas in January 1951; over the next five years, he pursued his doctorate while attempting to bring his brand of child mental health to the small town frontier. A former Army captain and engineer at the DuPont Corporation in east Texas, Turman wrote his thesis under the supervision of Hogg researchers Wayne Holtzman and Carl Rosenquist. The thesis surveyed the opinions of black and white schoolteachers on "non-segregation" – the impending integration of public schools that seemed the eventual outcome of the Supreme Court's 1950 decision *Sweatt v. Painter*. He found that schoolteachers overwhelmingly supported integration, while the general white population opposed it by a margin of twenty-five to one, a lesson on the gap between professional and lay opinion that informed Turman's subsequent tenure as director of the Texas Youth Council.[280]

Unlike school integration, Turman's mobile clinic project aroused little controversy. The clinic attracted positive coverage in local newspapers; in the border town of Edinburg, the county child welfare supervisor requested the visit to demonstrate clinical methods to skeptical local councilmen.[281] At

[280] James Aubrey Turman, "A Comparison of Negro and White Teacher Attitudes Toward Non-Segregation," unpublished MA thesis, University of Texas at Austin (January 1951). Turman earned his Ph.D in 1956.
[281] "Two Juvenile Girls to Take 'Spot' Psychological Exams," *Tyler Courier-Times*, 3/6/1951; "Juvenile Diagnostic Clinic to Bring Mobile Unit to Edinburg," *McAllen Valley Evening Monitor*, 4/5/1951. TYC Scrapbooks.

Nacogdoches, the clinic examined children and teenagers from several nearby towns in East Texas.[282] In a summary report, Turman noted that the clinic was "enthusiastically received" and that local officials were "eager" for psychiatric services for troubled children and adolescents. The typical patient received a physical, a psychological examination, and a "social history" compiled with the assistance of local agencies. Turman saw 152 patients, 105 of whom came from homes where one or both parents were absent. Most of the remaining children had "weak or inadequate parents." The report compiled a few brief case studies, clearly chosen to include children from all economic backgrounds. There was Susan, the sexually active teenager whose middle-class parents had foisted her upon grandparents as an infant; Tom and Bill, the sons of working professionals too busy to give adequate attention to "two normal, smart boys" who wound up committing grand larceny; and Alec, an impoverished thirteen-year-old boy who joined a gang while his widowed mother entertained "several men friends." More than half of the girls were victims of sexual abuse by adults.[283]

The mobile clinic report exemplified the mixed benefits of child mental health for social thought on troubled young people. It highlighted the importance of child abuse and neglect as essential elements in the making of the juvenile delinquent. At the same time, it said next to nothing about structural causes - housing, employment, education – which can and often do exacerbate the likelihood of adult misconduct toward children. As we have seen, the Hogg

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[282] "Youth Council Clinic to be Here Next Week," *Nacogdoches Daily Sentinel*, 7/21/1951. TYC Scrapbooks.
[283] Texas State Youth Development Council, *Third Annual Report of the State Youth Development Council to the Governor, Fiscal Year Ended August 31, 1952* (Austin, TX, 1952), 52-62.

Foundation and the Houston settlement agencies conceived of mental health as inextricably linked to the socioeconomic well being of the communities in which they worked. To talk about the "root causes" of juvenile delinquency without addressing its environment was to emphasize personal morality in a scientific guise. By downplaying sociological data, which should have come to light in the social histories of his patients, Turman may have shown a lesson learned from his graduate research. Funding evaporated for the mobile clinic after its 1951 test run, and convincing a conservative state legislature to support future endeavors surely would not have benefited from a report that blamed juvenile delinquency upon social inequality. From a professional standpoint, moreover, the recommendation for increased clinical diagnosis and treatment placed the psychologist and psychiatrist at the center of any solution to the social problem of juvenile delinquency.

Despite these efforts, the end of the mobile clinic experiment signaled the collapse of early enthusiasm for the Youth Council in the legislature. By its third year, shrinking budgets forced the Youth Council to abandon its prevention and consultation programs. Deprived of the ability to fulfill this portion of its original mandate, the Youth Council concentrated its reform efforts on the juvenile training schools. Events did not favor sweeping change there, either, as the number of juvenile delinquents soared. Between 1950-1957, the adolescent age population had grown by thirteen percent while the delinquency rate had increased fifty-one percent.[284] What accounts for this increase, outside of the

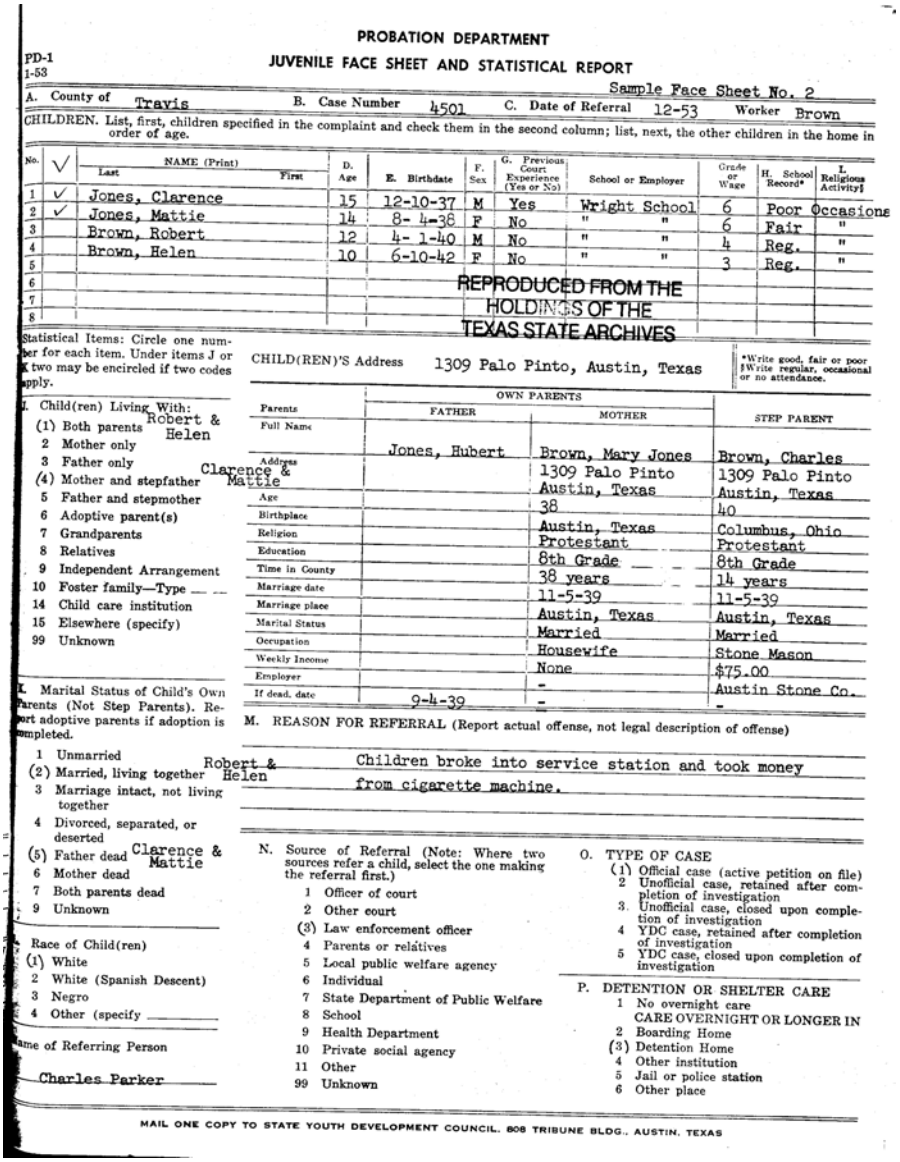
[284] Texas State Youth Development Council, *Eighth Annual Report of the State Youth Development Council to the Governor, Fiscal Year Ended August 31, 1957* (Austin, TX, 1951), 9.

obvious conclusion that metropolitan areas, with inner cities and suburbs, grew rapidly in the decade? The Youth Council's partially recorded statistics indicate a spike in burglary arrests for boys and sex offenses for girls; overall, status crimes went up significantly. Furthermore, the Youth Council's own public activities had promulgated more juvenile courts whose judges probably felt more secure than in past years in committing young offenders to state custody. Some evidence suggests that the Youth Council itself may have been responsible for the higher numbers. In its efforts to standardize local record-keeping, the Youth Council distributed a "juvenile face sheet" intended to document individual cases resolved officially and unofficially (see figure 10).[285] For the first time, then, juvenile crime statistics included some cases settled without a court hearing or even an arrest. This scenario may have led to more official arrests as well; a first-time truant with a prior status offense, for example, might bring a record rather than a clean slate into juvenile court, making a severe disposition more likely.

[285] *Reference Guide for Texas Juvenile Court Reporting* (Austin, TX: State Youth Development Council, December 1952).

Figure 10: Juvenile Face Sheet, Travis County Probation Department, circa 1953.

In order to compile more accurate statistics on juvenile delinquency, the Youth Council sought to standardize record-keeping throughout the state. This form was used as a sample in mailings to county police departments. Courtesy of the Texas State Archive and Information Service, Texas State Library.



PROBATION DEPARTMENT

PD-1
1-53

JUVENILE FACE SHEET AND STATISTICAL REPORT

Sample Face Sheet No. 2

A. County of Travis B. Case Number 4501 C. Date of Referral 12-53 Worker Brown

CHILDREN. List, first, children specified in the complaint and check them in the second column; list, next, the other children in the home in order of age.

No.	✓	NAME (Print) Last	First	D. Age	E. Birthdate	F. Sex	G. Previous Court Experience (Yes or No)	School or Employer	Grade or Wage	H. School Record*	I. Religious Activity†
1	✓	Jones,	Clarence	15	12-10-37	M	Yes	Wright School	6	Poor	Occasions
2	✓	Jones,	Mattie	14	8- 4-38	F	No	" "	6	Fair	"
3		Brown,	Robert	12	4- 1-40	M	No	" "	4	Reg.	"
4		Brown,	Helen	10	6-10-42	F	No	" "	3	Reg.	"
5											
6											
7											
8											

Statistical Items: Circle one number for each item. Under items J or K two may be encircled if two codes apply.

CHILD(REN)'S Address 1309 Palo Pinto, Austin, Texas

*Write good, fair or poor †Write regular, occasional or no attendance.

Parents	OWN PARENTS FATHER	MOTHER	STEP PARENT
Full Name	Jones, Hubert	Brown, Mary Jones	Brown, Charles
Address		1309 Palo Pinto	1309 Palo Pinto
Age		Austin, Texas	Austin, Texas
Birthplace		38	40
Religion		Austin, Texas	Columbus, Ohio
Education		Protestant	Protestant
Time in County		8th Grade	8th Grade
Marriage date		38 years	14 years
Marriage place		11-5-39	11-5-39
Marital Status		Austin, Texas	Austin, Texas
Occupation		Married	Married
Weekly Income		Housewife	Stone Mason
Employer		None	$75.00
If dead, date	9-4-39	-	Austin Stone Co.
		-	-

J. Child(ren) Living With: Robert & Helen
(1) Both parents
2 Mother only
3 Father only
(4) Mother and stepfather Clarence & Mattie
5 Father and stepmother
6 Adoptive parent(s)
7 Grandparents
8 Relatives
9 Independent Arrangement
10 Foster family—Type ___
14 Child care institution
15 Elsewhere (specify)
99 Unknown

K. Marital Status of Child's Own Parents (Not Step Parents). Report adoptive parents if adoption is completed.
1 Unmarried
(2) Married, living together Robert & Helen
3 Marriage intact, not living together
4 Divorced, separated, or deserted
(5) Father dead Clarence & Mattie
6 Mother dead
7 Both parents dead
9 Unknown

L. Race of Child(ren)
(1) White
2 White (Spanish Descent)
3 Negro
4 Other (specify ___)

Name of Referring Person
Charles Parker

M. REASON FOR REFERRAL (Report actual offense, not legal description of offense)
Children broke into service station and took money from cigarette machine.

N. Source of Referral (Note: Where two sources refer a child, select the one making the referral first.)
1 Officer of court
2 Other court
(3) Law enforcement officer
4 Parents or relatives
5 Local public welfare agency
6 Individual
7 State Department of Public Welfare
8 School
9 Health Department
10 Private social agency
11 Other
99 Unknown

O. TYPE OF CASE
(1) Official case (active petition on file)
2 Unofficial case, retained after completion of investigation
3 Unofficial case, closed upon completion of investigation
4 YDC case, retained after completion of investigation
5 YDC case, closed upon completion of investigation

P. DETENTION OR SHELTER CARE
1 No overnight care
CARE OVERNIGHT OR LONGER IN
2 Boarding Home
(3) Detention Home
4 Other institution
5 Jail or police station
6 Other place

MAIL ONE COPY TO STATE YOUTH DEVELOPMENT COUNCIL, 808 TRIBUNE BLDG., AUSTIN, TEXAS

This combination of trends meant that the training schools rapidly returned to the overcrowded conditions that had sparked the creation of the Youth Council in the first place. Gatesville's average daily population doubled from four to eight hundred between 1950-1957.[286] Attempts to reform Gatesville collided with existing attitudes both within and outside the school walls. In November 1949, the Youth Council dismissed Gatesville superintendent R.E. Blair for defying prohibitions against corporal punishment, particularly the policy of whipping attempted runaways. The local newspaper sneered at "progressive" reforms thrust upon the school by "outside meddlers" in Austin, and worried that relaxed discipline would visit "runaways and mayhem" upon local citizens.[287] In the first year of the new policy, attempted escapes actually decreased slightly from about thirty to twenty-six per month.[288] This incremental improvement was lost on locals, who convened a grand jury investigation in June 1950 that found the escape rate to be twice the official tally.[289]

The final straw, however, was yet to come. On the morning of 15 August, fifteen-year-old Walter Johnson escaped from Gatesville. Johnson, who was black, had been committed only three weeks earlier for a series of petty burglaries in Austin. Late that afternoon, Walter Mack, a fifty-five-year-old white farmer, returned home "on his tractor" to find Johnson armed with his Winchester rifle.

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[286] *Eighth Annual Report*, 5.
[287] "Resignation of Gatesville Chief Asked," *Dallas Morning News*, 11/22/1949; "Coryell Due Consideration," *Gatesville Messenger and Star Forum*, 12/28/1949. TYC Scrapbooks.
[288] *Second Annual Report*, 45-46.
[289] "Burglary Work of Fugitives?" *Waco News-Tribune*, 1/25/1950; "Coryell Jury Blasts Escapes at Gatesville Boys School," *Waco News-Tribune*, 6/9/1950; "Police Clear 6 Thefts by Arrest of Juvenile from Reform School," *Austin Statesman*, 6/16/1950; "Cowpunching Police Capture Five Fugitives," *Waco Times-Herald*, 8/11/1950. TYC Scrapbooks.

According to Mack's own account, he pleaded for his life and attempted to flee; Johnson shot him in the back, a wound that would eventually prove fatal. Johnson ("the Negro" in all news accounts) helped Mack onto his bed and promised to seek help, but was picked up by military police at Fort Hood, dozens of miles away. Still in possession of Mack's rifle, and doubtlessly afraid for his safety, Johnson told them he had been hunting game. Outraged locals demanded that the school reinstate whippings or relocate. At a town hall meeting in Gatesville, an angry mob confronted Youth Council officials with warnings that runaways found on private property would be shot. James Atlee, the acting superintendent at Gatesville, delivered a one-hour speech on the ills of overcrowded, mass custody conditions that failed to sway demands for immediate action. Atlee described dormitories housing "sixty to seventy boys" who slept on steel cots under overhead lights, supervised by a guard who sat behind a steel wire fence "similar to that used to enclose the cages in a zoo." The school building lacked bathrooms, forcing teachers to march boys "two blocks away to outside toilets" at prearranged times. The prison-like setting had nurtured "prison ways;" new boys came in wearing "citizens haircuts," while the open space behind the dormitories was "the yard" (see figure 11). Guards contended with inmate gangs, collecting about twenty homemade weapons a month. That the school endured at all was a testament to its status as a major employer in the area and the impossibility of moving it after all of the bad publicity.[290]

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[290] "Austin Youth Held in Affray," *Austin Statesman*, 8/16/1950; "Walter Mack Better After Gunshot Wound By Walter Johnson," *Coryell County News*, 8/18/1950; "Gatesville Wants Problem Solved," *Dallas News*, 8/24/1950; "Runaway Boys Should Be Whipped," *The McKinney Examiner*, 8/25/1950; "Texas Seeks Remedy for 62-Year Disgrace," *Dallas News*, 3/17/1951. TYC Scrapbooks.

Figure 11: Photograph of Gatesville, *Austin Statesman*, March 3, 1955.

"This is a juvenile delinquent... brooding over the barren 'recreation' area at the Gatesville training school" (original caption). "Juvenile Delinquency" Vertical File. Center for American History. University of Texas at Austin.

In the end, the incident provided the impetus for a major reorganization of Gatesville. Officials seized the opportunity to institute a more thorough classification system, which they typically referred to as "segregation." The official meaning of segregation described the separation of violent and nonviolent offenders, as well as age-graded housing in dormitories. But the new classification system contained an unmistakable racial component. Like all Texas primary and secondary schools circa 1950, the Youth Council's institutions maintained racial segregation. Girl delinquents went to Gainesville (white) and Brady (black); boys, meanwhile, slept, ate, and attended classes separately at Gatesville. Moreover, racism distorted the "scientific" diagnoses on which classification was based. As the top clinical psychologist at the Youth Council,

Turman regularly oversaw a battery of intelligence and psychological tests administered to inmates. In 1949, he concluded that less than ten percent of African American boys possessed "normal" intelligence, and recommended that most black inmates be moved to an institution for the mentally retarded. Interestingly, Turman had tested the entire black inmate population, comprising a third of the total, yet had tested only samples of the Anglo and "Latin" populations.[291] The Youth Council urged the construction of a Jim Crow school for delinquent boys, while Turman on several occasions tried but failed to refuse admittance to what he habitually called "feeble-minded Negroes."[292] When the Youth Council installed an academic high school program in Gatesville, it did not bother to include blacks because of their supposed lack of intellect. The intelligence tests provided a basis for separate educational plans, with black youth tracked into vocational rather than academic classes. Latino youth fared little better, often diagnosed as possessing "borderline" intelligence.[293] The significance of these figures was that they represented the majority of the inmate population. Long a sizable minority in Gatesville, black and Latino inmates outnumbered whites for the first time in 1955. The rate of increase for black inmates was three times that of the combined rate for white and Latinos.[294] The outcome of the Johnson incident was a reform program that maintained prison-like conditions for the growing number of nonwhite inmates while attempting to ensure rehabilitation for the shrinking white population.

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[291] *First Annual Report*, 51-54.
[292] "Report from Youth Council Meeting," *The Key* (agency newsletter), October 1950.
[293] *Second Annual Report*, 42-52.
[294] *Sixth Annual Report*, 23-24.

As the Gatesville story unfolded, the Youth Council faced an equally damaging scandal at the school for white girls at Gainesville. In January 1952, school superintendent Maxine Burlingham stood accused of torturing, drugging, and abducting a sixteen-year-old girl inmate. The charge caught most observers by surprise. A former supervisor of girls for the Tarrant County (Fort Worth) juvenile probation department, Burlingham had built a solid reputation as a progressive reformer. Hired the same month that the Youth Council came into existence in March 1949, she exemplified the agency's principles, making an abuse scandal all the more damaging. "Maxine Burlingham brings new deal to girls," raved the *Fort Worth Star-Telegram*; she removed the school's barbed wire fences, abolished punishments for running away, replaced most of the staff, and inaugurated a new program of "vocational training and social adjustment."[295] An open house showcased home economics, glee club, cosmetology, and floristry programs. The girls staged a fashion show and a dance that culminated in the crowning of a "May Queen." Describing the effects of the floristry program, one girl expressed the school's larger goal: "We have created a love for beautiful things, have improved mental health, and have learned to think beautiful thoughts."[296] Newspapers lavished Burlingham with praise that accompanied photographs of idyllic scenes of smiling girls in career prep classes, casual basketball games, and drum and bugle corps exercises that featured pristine uniforms and the flags of the United States and Texas. The aim was to create a

[295] "New Look in Juvenile Correction Paying Off," *Fort Worth Star-Telegram*, 5/7/1950. TYC Scrapbooks.
[296] Mimeographed program, Gainesville State School for Girls open house, 5/26-5/27/1950; "Girls' School Open House," *Fort Worth Star-Telegram*, 5/27/1950. TYC Scrapbooks.

"normal" high school atmosphere while teaching the girls practical skills. In one telling anecdote, she explained that cooking classes instruct girls in the preparation of "stick-to-the-rib meals" because "most of the girls will marry laborers" with "different food requirements." When one girl admitted to a visiting reporter that she had never cooked an egg, Burlingham took the occasion to observe that "we forget just how underprivileged some of these girls are when they enter the school."[297]

The girl inmate who shattered this well-crafted image of benevolence had spent 186 of 210 days isolated in a six-by-nine-foot steel room, prohibited from speaking or reading. Burlingham would later claim that the girl was a regular rulebreaker who had attempted escape by jumping out a second-story window. Her mother, a waitress from Houston, filed a lawsuit in January 1952. Burlingham's response was to dose the girl with Nembutal, a depressant known on the street as a "yellow jacket," and secretly commit her to a state hospital in Wichita Falls. Before a court order could arrive at Gainesville, Burlingham personally drove the girl to the hospital; a Houston reporter alerted attorneys to the girl's whereabouts. In court, the "attractive, strawberry-blonde" girl stared down Burlingham while describing girls who cut themselves with glass "to relieve boredom," lashings administered by male attendants under Burlingham's supervision, and solitary confinement's "mental torture." The case provoked an immediate torrent of outrage. Representatives of the Houston Housewives League

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[297] "Gainesville State School Girls Learn Practical Subjects in Study Courses," *Austin American-Statesman*, 10/11/1949; "'Goof Balls' and 'Yellow Jackets': They Put 16-Year-Old in Gainesville as Delinquent," *Houston Chronicle*, 12/28/1950; "Reform School at Gainesville Helps Girls Help Themselves," *Dallas Morning News*, 1/3/1951. TYC Scrapbooks.

attended the hearing and telephoned Texas Governor Allan Shivers to demand an investigation. Harris County's judges and state representatives issued a joint condemnation of Gainesville. But perhaps the most damning indictment came from girl inmates themselves: "We want to live like normal girls instead of in an institution."[298] One runaway, who vowed to commit suicide rather than return to Gainesville, gave the following testimony:

> I've been punished enough. Gainesville is not a corrective institution. It's a place of punishment. I've seen girls as young as twelve and thirteen suffer treatment that shouldn't be given to a hardened criminal... You're not there long before you learn a lot of things that can hardly be called corrective. I needed help, not punishment. I was emotionally upset.[299]

These incidents at Gainesville and Gatesville challenged the narrative of compassionate reform put forth in the Youth Council's early years. In both cases, the solution seemed to lie down well-trod pathways of reform: more scientific diagnosis, more rigid classification, more strict monitoring of punishments. Attempts to improve the training schools proceeded in a piecemeal fashion against a backdrop of declining budgets and rising inmate populations. Its reformist energies spent, the Youth Council increasingly justified its importance by its maintenance of existing conditions in the juvenile training schools. At Gatesville, the new classification regime failed to stem the tide of juvenile inmates; only four years removed from the Walter Johnson scandal, a *Fort Worth Press* reporter visited the facility and found over six hundred inmates facing a

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[298] "Houston Mother Rips Gainesville Treatment," *Houston Chronicle*, 1/24/1952; "Girl Tells of Terror in Reform School," *HC*, 2/1/1952; "Officials Demand School Cleanup," *HC*, 2/2/1952; "Shivers Opposes Lash as Teener Correction," *HC*, 3/14/1952; "Banning the Lash," *Fort Worth Star-Telegram*, 4/27/1952. TYC Scrapbooks.

[299] "I'll Kill Myself Before I'm Returned, Girl Vows," *Austin Statesman*, 2/7/1952. TYC Scrapbooks.

staff intended for about a third of that number.[300] A series in the *Austin Statesman* documented the crumbling buildings and crowded sleeping spaces at Gatesville, which had become the second largest juvenile training school in the nation.[301] Over a decade after the scandal that rocked Gainesville, Burlingham continued to draw praise from reporters, this time for persevering with a short-handed workforce.[302] Hamstrung by a stingy legislature in its first decade of existence, the Texas State Youth Development Council had created expectations that largely went unfulfilled. Old problems festered and eventually became ossified in bureaucratic routine, setting the stage for a new round of scandals in later years.

II. Expansion and Investigation, 1957-1969

On 9 March 1958, James Turman, newly minted director of the renamed Texas Youth Council, addressed a gathering of the state's top law enforcement officials on the subject of juvenile crime. He called for tougher laws allowing the certification of violent juvenile offenders to adult courts. "It is my personal conviction," he intoned, "that in some instances [they] are... overprotected... at the expense of society." To compensate for the influx of juvenile inmates to already overcrowded training schools, particularly Gatesville, Turman proposed a new facility for offenders in the "twilight zone between adolescence and complete

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[300] "Prison Prep School," *Fort Worth Press*, 3/23/1955. Gatesville news clippings. Youth Commission facilities and programs history and information notebooks, Texas Youth Commission. Archives and Information Services Division, Texas State Library and Archives Commission.
[301] "Goals Lofty, Cash Lagging," *Austin Statesman*, 3/4/1955. "Juvenile Delinquency" Vertical File, CAH.
[302] Moselle Boland, "Girls Gone Wrong," *Houston Chronicle Texas Magazine*, 11/7/1963.

adulthood."[303] In 1962, just down the road from Gatesville, the Youth Council opened its first high-security facility: the Mountain View School for Boys. This action demonstrated Turman's growing political pull in Austin as well as his vision for juvenile rehabilitation. Turning away from the community-based prevention programs that formerly had been at the top of the Youth Council's agenda, he expanded the use of large-scale institutions, moves that failed to please critics. Coryell County (Gatesville) officials resurrected old complaints against "remote control" restrictions on corporal punishment, while some state legislators lamented that the training schools were "too much like country clubs." Meanwhile, the periodic revelations of abused inmates that had become a near-regular occurrence now brought mild threats of federal intervention.[304] So focused was Turman on the training schools that he found himself at odds with prevention-minded members of the Youth Council's board of directors, which commissioned a survey of Gatesville from the Hogg Foundation in spring 1961. Bert Kruger Smith, a social work professor, wrote a positive report but noted that she was "never shown where the 'others' live, the bad boys and the Negroes."[305]

Its emphasis on institutions put the Texas Youth Council out of step with emerging collaboration between the fields of mental health and criminal justice. By the mid-1960s, the legal profession was awash in debate over the definitions

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[303] "Juvenile Laws Hit By Turman," *Austin Statesman*, 3/10/1958. "James Turman" Vertical File, CAH.

[304] "Judge Assails Youth Council Interference at Boys' School," *Houston Post*, 7/21/1963; "Texas Youth Council Chief Sounds Dire Warning on Future," *Dallas News*, 8/28/1964. "Texas Youth Council" Vertical File, CAH.

[305] Bert Kruger Smith, "Trip to Gatesville," 3/22/1961. Sutherland (Robert Lee) Papers, 1937-1973. Center for American History. University of Texas at Austin (cited hereafter as Sutherland Papers).

of criminal responsibility and insanity. One of the most influential figures was Judge David Bazelon, who sat on the D.C. Circuit Court of Appeals.[306] Bazelon insisted that the juvenile court practices of collecting social histories and psychological diagnoses would allow for an orderly expansion of the then-narrow definition of criminal insanity. In need of "treatment over punishment," mentally ill offenders were victims of the "essentially cultural" construction of the rational, calculating criminal.[307] In Bazelon's eyes, however, the criminal court's failures paled before those of the juvenile court, where the adolescent status of offenders had failed to mitigate a rush to punishment. Instead, as Bazelon told a Georgetown University audience, "the myth of total individual responsibility" continued to bring down adult punishments upon developmentally immature offenders – for example, "the juvenile delinquent who risks years in jail by grabbing a woman's purse. Calculation of potential pleasures and pains is not for him."[308]

His active promotion of cooperation between law and mental health brought Bazelon into contact with the Hogg Foundation for Mental Health. In 1964, Hogg director Robert Sutherland served with Bazelon on an advisory committee to the National Association of State Mental Health Program Directors.[309] That same year, the Hogg Foundation co-sponsored the Southwest

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[306] For an overview of this debate, as well as its influence on the key federal court cases that reshaped juvenile justice procedures, see Christopher P. Manfredi, *The Supreme Court and Juvenile Justice* (Lawrence, KS: University Press of Kansas, 1998), 57-63.
[307] David Bazelon, "The Interface of Law and the Behavioral Sciences," photocopy of lecture given at the Massachusetts General Hospital in Boston, 2/26/64. Sutherland Papers.
[308] David Bazelon, "The Future of Reform in the Administration of Criminal Justice," lecture given April 1964, reprinted in *Congressional Record*, 110:68 (April 10, 1964).
[309] Undated notes, circa 1964. Sutherland Papers.

Center for Law and the Behavioral Sciences, which was housed in the University of Texas Law School. The Center worked in close cooperation with the leading national proponents of community-based antidelinquency and antipoverty programs: the Ford Foundation, the President's Committee on Juvenile Delinquency, and later the Office of Economic Opportunity. In addition to providing numerous workshops to juvenile courts, police departments, and probation officers across the state, the Center offered interdisciplinary college courses on juvenile delinquency and criminal justice. By the end of the 1960s, the Center had folded; however, in its place were new interdisciplinary degree programs in public affairs, criminal justice, and urban studies. Clearly, academic research had moved away from the paradigm of institutional rehabilitation to which the Youth Council remained wed.[310]

The ferment over how to deal with the growing "urban crisis" and related problems of poverty, crime, and delinquency inspired the state legislature to reopen old questions about the Youth Council's practices. In fall 1968, the Texas House of Representatives established an Interim Committee on Juvenile Crime and Delinquency. That December, two television journalists from Corpus Christi convinced the committee to launch a full investigation into the training schools at Gatesville and Mountain View. Committee members saw an advance screening of a series set to air the following month. Panoramic shots of Mountain View's exterior, ringed by double barbed-wire fences and patrolled by uniformed guards

[310] Lloyd Ohlin, the architect of "community action" approaches to urban delinquency in the 1960s, directed a similar program at Harvard Law School. Norman Hackerman to Robert Sutherland, 4/28/1966; Ford Foundation memo to UT Interdisciplinary Committee on the Behavioral Sciences, 1/5/1967; Southwest Center grant application to the Department of Health, Education, and Welfare, 9/1/1967; Sutherland to William G. Reid, 3/4/1968. Sutherland Papers.

on horseback, preceded graphic eyewitness accounts of physical abuse inside its walls.[311] The hearings opened on 3 January 1969 with testimony from the Corpus Christi reporters and their key informants. The Reverend Frank Briganti had worked as a chaplain at Mountain View from July 1964 to January 1965. His testimony came from boys' confessions and his own observations of staff behavior. Guards administered beatings routinely and with breathtaking impunity. One guard, fired for beating a boy, "came back every night for a week and beat up the boy again and again until the guard who was letting the fired guard in was himself fired."[312] Outraged, Briganti mounted a "crusade" to enforce existing rules against corporal punishment, which resulted only in his own dismissal. When Briganti took his case directly to Youth Council director James Turman, he met with labored excuses for inaction.[313] Similarly, Houston schoolteacher Shirley Tyler had complained about the bruises and psychological injuries she had noticed while tutoring "hundreds" of inmates. In his rebuttal, director Turman dismissed these complaints as part of a self-interested "campaign to discredit the agency."[314] He labeled Briganti a disgruntled ex-employee and Tyler a woman with a score to settle; the Youth Council formerly had rejected her requests to adopt juvenile inmates.

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311 Photos of Mountain View appeared in some big-city Texas papers when the special aired. "Brutality Proven By Records," *Houston Post*, 1/19/69, p.6; "Corpus TV 'Horror' Series Initiated Probe," *Houston Post*, 1/20/69, p.1; "Mountain View: 'The Bad Ones... We Get the Worst,'" *Fort Worth Star-Telegram*, 1/26/69, p.12.

312 "Youth Beatings Charged," *Fort Worth Star-Telegram*, 1/4/69, p.1.

313 Ronnie Dugger, "Brutality Charges at Gatesville," *Texas Observer*, 1/10/69, p.14-15.

314 "'Rubbish,' Says Official To Charges Of State Reform School Brutalities," *Austin American-Statesman*, 1/4/69, p.11.

Perhaps the most persuasive witnesses were the parents of Eddie Kellar, Jr., a fifteen year-old inmate at Gatesville. His stepfather told the committee about the day that he was called to the Gatesville infirmary to find Kellar covered in bruises, a black eye and "a boot print on his chest."[315] So badly was Kellar injured that he spent the next fifty-six days in the hospital, where he received extensive care for a damaged kidney and "severely bruised genitals." Gatesville officials withheld all documentation from the family and lamely attributed Kellar's injuries to "two Negro boys with sexual motivation." In Kellar's own version of events, a guard beat him, then forced him to "run several hours around a track, carrying shovels of sand," until he collapsed with exhaustion. According to his mother, Kellar relived the experience aloud at night, moaning phrases in his sleep such as "ain't I worked enough for just a drink of water." Adding insult to injury, Youth Council officials insisted upon returning Kellar to Gatesville after his recovery. Kellar's stepfather recounted his next visit to Gatesville, where he met the unapologetic guard - "settin' there with his cowboy boots on" - who had beaten his son.[316]

Insisting that doctors had found "not a scratch on him – not a one," Turman argued that juvenile inmates and their families were generally unreliable witnesses. Parents who lodged complaints against the training school, he explained, often were covering for their own abusive actions at home. "There's no need for us to kick them around," he assured the committee. "They've been

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[315] *Ibid*.
[316] *Ibid*.

kicked around by experts before they ever come to us."[317] He also cast juvenile delinquents as cunning hustlers versed in hoodwinking sympathetic but credulous adults. None of these assertions satisfied the committee chairman, Vernon Stewart, a Democratic representative from Wichita Falls in northwest Texas. Convinced that Youth Council officials in Austin were ignorant of events at their far-flung training schools, Stewart led a delegation on a surprise inspection of Mountain View the day after testimony concluded. Juvenile inmates with bruises, swollen faces, and black eyes told legislators stories that left them visibly "shaken."[318] Boarding the return flight to Austin, chairman Stewart promised an "extremely critical" report, to be issued within a week and followed by "a full-blown investigation" during the next legislative session.[319]

Leading the chorus of indignation was the committee's only African American member, Representative Curtis Graves of Houston, who shined a spotlight on the plight of black teenagers. Graves was a veteran of the civil rights movement who first ran for elective office in 1966, after a federal court ordered the city of Houston to abandon an at-large districting scheme designed to prevent black representation. In that election, his opponent had circulated an old police mug shot resulting from Graves' participation in a sit-in protest at a segregated lunch counter.[320] Given that black teenagers comprised a disproportionate percentage of juvenile inmates (see Table 1), and that Harris County (Houston)

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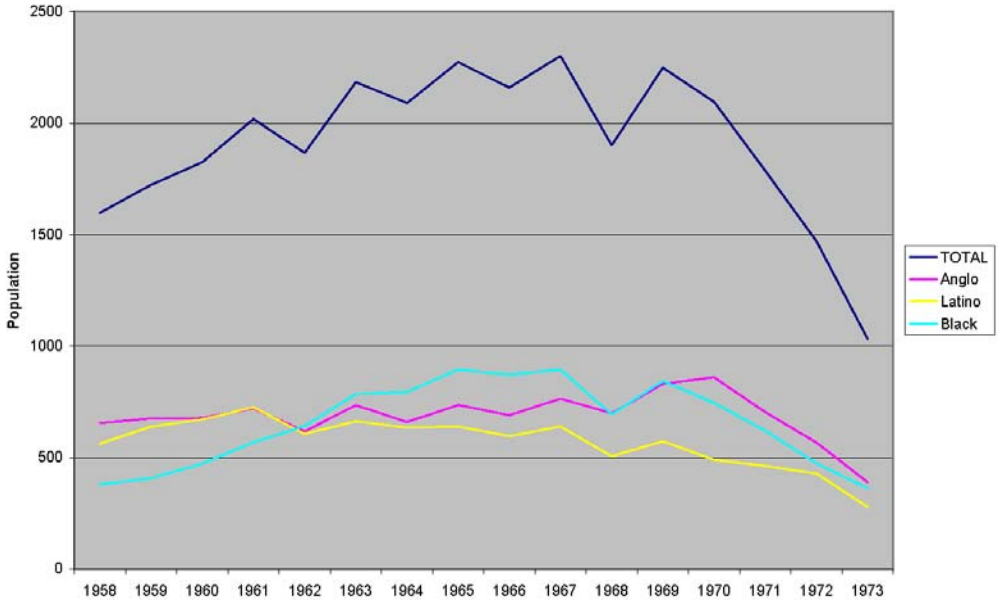
[317] *Ibid*; Dugger, "Brutality Charges."
[318] "Solons Visit Reform School; 'Critical' Report Due Today," *Austin American-Statesman*, 1/5/69, p.1.
[319] *Ibid*.
[320] Chandler Davidson, *Biracial Politics: Conflict and Coalition in the Metropolitan South* (Baton Rouge: Louisiana State University Press, 1972), 71-72, 79-80.

sent by far more inmates to training schools than any other county, it comes as little surprise that Graves fielded "hundreds" of constituent complaints about the Youth Council. In 1968, the year before the investigation, African Americans comprised nearly one-third of the inmate population, but only about one-tenth of the high school age population of Texas.[321]

Table 1: Male Juvenile Inmates by Race and Ethnicity, 1958-1973.

Compiled from the Annual Reports of the Texas Youth Council, 1959-1974.



Determined to halt a wider investigation, powerful friends of the Youth Council intercepted Graves and Stewart when they landed back in Austin. The

[321] Training school figures here come from *Services to Youth in Texas: Preliminary Report of the Senate Youth Affairs Committee*. 61st Texas Legislature. May 1969. pp 17-25. The population numbers come from U.S. Bureau of the Census, *Texas: General Social and Economic Characteristics, 1970* (Washington, D.C.: Government Printing Office, 1971), 45. Houston is listed as the top source of inmates in all but one of the Youth Council's *Annual Reports*.

leader of this group was Ben Barnes, the photogenic Speaker of the House. A youngish politician on the rise, Barnes was basking in his recent election to the office of lieutenant governor, and had no intention of angering longtime legislators who had training schools in their districts. One day after Stewart's return, Barnes led his own "midnight inspection" of Mountain View with an entourage that included Stewart, Youth Council officials, and Texas Rangers. The same juvenile inmates who had confided tales of beatings now faced a more hostile interrogation in the form of polygraph tests administered by uniformed state police. Upon his return to Austin, Barnes held a well-attended press conference in which he discredited the prior allegations of abuse. One boy confessed that the beatings had occurred during an armed escape attempt. "We all three had shivs or jiggers... made out of scrap metal," quoted Barnes, in an unconvincing blend of street argot and prep school grammar. "We made it up among ourselves that should one guard catch us we were going to kill him."[322] Barnes illustrated this point by posing for a photograph next to an assortment of "jiggers," or hand-made knives.[323] Citing the informants' long rap sheets, he scolded reporters for forgetting that juvenile delinquents "aren't Little League ball players who have run away from a Little League ball game." Mountain View's clean and modern facilities, he declared, should inspire pride "in all Texans." Proclaiming that the House committee had overstepped its bounds, Barnes placed power over the ongoing investigation in the hands of the Department of Public

[322] "Youths Planned To Kill Guard In Escape Try," *Austin American*, 1/7/69, p.1.
[323] *Ibid*.

Safety, which sent Texas Rangers to Gatesville to administer lie detector tests to "randomly singled out boys."[324]

Undeterred by Barnes' shenanigans, the Stewart committee prepared to make good on its promise to deliver a harsh report on the training schools. A series of heated behind-the-scenes negotiations ensued between the committee, Barnes, and Youth Council director Turman. The committee's proposed solutions included transferring oversight of the training schools to the Texas Department of Corrections, commissioning an evaluation from the progressive National Council on Crime and Delinquency, and hiring police officers to monitor training school guards.[325] Taken as a whole, these suggestions seriously impugned the competence and integrity of the Youth Council. Perhaps recalling the days when Gatesville's reputation for violence had turned juvenile judges against sentencing boys to a term in training school, resentful officials protested that they had received unfair treatment. One member of the board of directors, an Amarillo juvenile judge, publicly exhorted his counterparts to harbor "no qualms whatsoever" about committing boys to state custody.[326]

Barnes emerged from a six-hour closed-door session with the status quo intact and an agreement to launch a new investigation headed by a "blue ribbon" panel of Senators. Critics interpreted this announcement as a parliamentary maneuver intended to remove Stewart and Graves from the center of the probe.

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[324] "Lie Detector Used in School Probe," *Austin American*, 1/6/69, p.1.
[325] "Gatesville Probers Stay Quiet," *Austin American*, 1/8/69, p.6; "Statement Delayed in Gatesville Probe," *Austin American*, 1/9/69, p.46; "House Group Advises Changes at Gatesville," *Fort Worth Star-Telegram*, 1/9/69, p.1.
[326] "'Brutality' Probers Scored," *Austin American*, 1/10/69, p.6.

Along with the liberal *Texas Observer*, Graves deplored the deal as a "whitewash" and a "diversion" resulting from a *quid pro quo* arrangement between the Youth Council and Austin powerbrokers. Events soon bore out this analysis. In the next session, Speaker of the House Gus Mutscher officially dissolved the juvenile delinquency committee, while the Youth Council appropriated a huge sum for the construction of a new training school in Giddings, a central Texas town that happened to be located in Mutscher's home district.[327] Barnes' actions similarly smacked of political opportunism rather than principled concern. Privately, in a letter to a Gatesville parolee, Barnes described juvenile delinquents in far different terms than he had in front of the cameras. They were "not criminals," he asserted, but confused teenagers "in need of guidance, protection, and understanding rather than harsh punishment."[328]

Such qualifications were the exception rather than the rule in the newspaper reports that accompanied the investigation. Journalists often took the Youth Council's point of view without qualification, particularly the *Houston Post*, which reprinted the official line so faithfully that it unintentionally exposed some of its most basic contradictions.[329] Youth Council officials, training school superintendents, chaplains, and guards agreed that abuses had declined rather than worsened in recent years. Several "Gatesville alumni" in the Texas prison system concurred, according to George Beto, the director of the Texas Department of

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[327] Dugger, "Observations," *Texas Observer*, 1/24/69, p.16; Kaye Northcott, "The Gatesville Challenge," *Texas Observer*, 2/21/69, p.11-12.
[328] Dugger, "More on Gatesville: Alums Recount Brutality," *Texas Observer*, 1/24/69, p.7-13.
[329] "Brutality Proven by Records," *Houston Post*, 1/19/69, p.6; "Corpus TV 'Horror' Series Initiated Probe," *Houston Post*, 1/20/69, p.1.

Corrections.[330] The apparent cynicism of using adult prisoners to vouch for Gatesville's good work went unnoticed in articles that portrayed Youth Council officials touting great strides while espousing a hunger to improve further. The only specific improvements were cosmetic: professional-sounding job descriptions, staff uniforms, improved physical facilities.[331] Neither juvenile inmates nor former employees were asked to comment on the efficacy of these changes.

A slightly different analysis appeared in the *Fort Worth Star-Telegram*; however, its reporters actually visited Gatesville and Mountain View. They somberly described electric barbed-wire fences, uniformed guards, censored newspapers, and simmering tensions between inmates and guards.[332] Rebuffed in their attempts to interview juvenile inmates, the *Star-Telegram* reporters portrayed an atmosphere that conscripted boys and adults alike into a prison-like culture of violence. When the Gatesville superintendent suggested that "it depends on what you call brutality," readers might well have wondered at the more sunny portrait given by officials in Austin.[333]

On the opposite end of the spectrum was the *Texas Observer*, a liberal weekly that published extensive interviews with former inmates.[334] Their stories consistently emphasized the use of violence to maintain a social order that

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330 "Physical Abuse in Decline, Officials Say," *Houston Post*, 1/21/69, p.6.
331 "'New' Gatesville Improved, TYC Dissatisfied," *Houston Post*, 1/22/69, p.16.
332 "Boys Find Different World at 'Gatesville State,'" *Fort Worth Star-Telegram*, 1/26/69, p.12; "Mountain View: 'The Bad Ones... We Get the Worst,'" *Fort Worth Star-Telegram*, 1/26/69, p.12; "The System Dictates 'In' Gatesville," *Fort Worth Star-Telegram*, 1/28/69, p.10.
333 "Official Says Brutality No Longer Found at Gatesville Unit," *Fort Worth Star-Telegram*, 1/29/69, p.10.
334 Ronnie Dugger, "More on Gatesville: Alums Recount Brutality," *TO*, 1/24/69, p.7-13. The following brief discussion, unless otherwise noted, quotes from these published interviews.

revolved around race and ethnicity. Guards routinely directed racial epithets at black and Latino boys, and punished any whites who dared fraternize with them. In the segregated mess hall, one Anglo boy elicited a beating for sitting at a table with nonwhites. Ronaldo Suarez recalled being beaten by a guard the day before his parole. The guard, notorious among the boys for his hatred of Latinos, had punched Suarez "twenty times on each leg from knee to thigh," which left him unable to walk without a limp for several days. Under threat of parole revocation, Suarez had signed a false incident report stating that he "got hurt playing football." Such practices taught a terrible lesson, according to several of the *Observer's* informants. Frank Vargas, a nonviolent repeat offender from Houston, had been part of the group of inmates interviewed by the Stewart committee. Ben Barnes had given Vargas a central role in the escape "plot" used to discredit claims of abuse and brutality. Vargas told the *Observer* a different story: "I learned to hate... I wasn't that way [before]." Fearing for their son's safety after the public blow-up, Vargas' parents traveled to Austin to confront Youth Council director Turman, who dismissed their concerns while issuing bland guarantees that beatings were rare. This promise gave cold comfort to the *Observer*'s interviewees; one parolee who had served a two year sentence in Gatesville could not recall a single visit from Turman.

The circulation of these stories chipped away at the Youth Council's credibility on a number of fronts. The training school seemed little changed from its earlier incarnations as a "little crime school" that brutalized rather than rehabilitated juvenile delinquents. The plethora of first-hand testimonies from

juvenile inmates, their families, and former employees further suggested a pattern of abuse that was known to top officials. Moreover, the timing of this particular scandal proved significant. In the early 1950s, similar revelations had prompted limited public outrage and promises of reform; by 1969, however, the Youth Council faced a less tolerant social climate. The civil rights movement had swept across the South and the nation, raising awareness of the historic oppressions visited upon African Americans and Latinos. Protest movements against educational inequality and institutional racism in the criminal justice system found their concerns combined in the juvenile training school. A growing "rights consciousness" meant that juvenile inmates appeared not as passive recipients of compassionate concern but as individuals whose civil rights had been violated. Well-worn assertions of authority from the Texas Youth Council would not satisfy its growing number of critics.

Created to stave off a public relations disaster, the Senate Youth Affairs committee instead continued the work of the Stewart committee. Its June 1969 report investigated six individual claims of abuse, and found four of them to have merit. Comparing Mountain View's "strong climate of suppression, repression, and fear" to that of a prison, the report scolded Youth Council officials for presenting "the mere existence of unprosecuted investigations" as evidence of a successful program.[335] Noting that the Texas Rangers and the Federal Bureau of Investigation had visited Gatesville, it admonished that "law-enforcement agencies should not be in the business of evaluating rehabilitation programs."[336]

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[335] *Services to Youth in Texas*, 96.
[336] *Ibid*., 99-100.

Another barometer of the Youth Council's woes came during its annual budget hearing before the legislature. Youth Council director Turman appeared before the Finance Committee in February, when negative headlines were still fresh in legislators' memories. Turman attempted to forestall criticisms by distributing copies of a favorable outside evaluation of the Youth Council's facilities and programs. The author, Austin MacCormick, had helped design the "youth authority" model in the 1940s, and had advised the reformers who created the Texas State Youth Development Council in 1949. MacCormick later had worked as a paid consultant for the Youth Council, showering the training schools with praise in four evaluations since 1960. His latest report ranked the Texas Youth Council second only to the California Youth Authority in quality. The evaluation irritated critics; one juvenile court judge from Fort Worth compared it to "Mary Poppins – perfect in every way."[337] Don Kennard, a senator on the Finance Committee, accused Turman of "institutionalizing people rather than treating them."[338] The Youth Council planned to devote over a quarter of its budget to construction of the new Giddings training school, an amount that exceeded the agency's entire payroll and dwarfed its miniscule funds for probation and prevention programs. Furthermore, the Youth Council had exhibited no interest in small-scale, community-based facilities such as halfway houses and group homes, innovations being tried in other states. Noting the growing numbers of urban youth incarcerated in isolated rural villages, Kennard argued that smaller facilities located in cities could prove cheaper and more

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337 "Reform School Report Criticized by Judge," *Fort Worth Star-Telegram*, 1/31/69, p.4.
338 Northcott, "Gatesville Challenge."

effective than training schools located in remote backwaters.[339] This suggestion challenged entrenched beliefs in the moral and cultural superiority of small towns over big cities. It also linked racism against black and Latino inmates to white rural hegemony in state politics. State politicians supported the training schools, in part, because they provided jobs to constituents. In the small town of Gatesville, for example, the training school was the largest employer; several guards worked to supplement family farms.

How important were these political dynamics? Consider the following apocryphal tale: On 20 September 1969, the Acting Governor of Texas awarded the Gatesville and Mountain View Schools for Boys a citation for "excellent service." The man who singled out these two singularly controversial reform schools for high praise, J. P. Word, also happened to be the Texas state representative from Gatesville.[340]

III. Breaking Into the Total Institution, 1970-1971

While the language of the Youth Council's critics smacked of civil rights, the official reaction evoked "massive resistance." State officials evaded or scorned concerns about the welfare of juvenile inmates. Training school superintendents marched in lock-step, barring access and pleading ignorance to journalists. Meanwhile, key political allies blocked meaningful action in the state house. These maneuvers, however, failed to protect the Youth Council from a new round of attacks that began innocently enough with a lawsuit against the

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[339] Dugger, "Order," *Texas Observer*, 3/7/69, p.2.
[340] Kenneth Wooden, *Weeping in the Playtime of Others: America's Incarcerated Children* (2nd ed., Columbus: Ohio State University Press, 2000 [1976]), 20-21.

juvenile court in El Paso, thousands of miles to the west of the training schools. Within months, a small case against the local juvenile court mushroomed into a federal class-action lawsuit, *Morales v. Turman*, which freed hundreds of juvenile inmates and eventually led to the closing of Gatesville and Mountain View.[341]

The lead attorney in the case, Steven Bercu, headed the juvenile division of the El Paso Legal Aid Society, an agency funded by the federal Office for Economic Opportunity. A native of Dallas, Bercu had graduated from the University of Texas law school in 1965 and obtained a Master's degree in International Relations in Denmark. His mother had served as the first female city attorney in Dallas; upon her retirement in the early 1960s, she joined that city's legal aid office.[342] In summer 1970, shortly after he began working in El Paso, Bercu began receiving a steady stream of complaints from parents who had committed their children to state custody and wanted them returned home. Bercu soon discovered a sordid picture. Parents routinely turned to the county probation office for assistance in disciplining their adolescent children. "Incorrigible" or "ungovernable" teenagers might stay in the county juvenile detention several times before the juvenile court stepped in and recommended commitment to a state training school. It fell to the county probation officer to win the approval of parents, a feat often accomplished through deception. Parents left these meetings believing that they could retrieve their wayward children at their convenience,

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[341] Scholarly treatments of *Morales v. Turman* include the following: Steve J. Martin and Sheldon Ekland-Olson, *Texas Prisons: The Walls Came Tumbling Down* (Austin: Texas Monthly Press, 1987), 86-88; Mary Frances Reddington, "In the Best Interests of the Child: The Effects of *Morales v. Turman* on the Texas Youth Commission" (unpublished Ph.D. diss., Sam Houston State University, 1990); and Frank R. Kemerer, *William Wayne Justice: A Judicial Biography* (Austin: University of Texas Press, 1991), 145-181.

[342] Author interview with Steven Bercu, June 23, 2003.

unaware that the decision lay entirely with the training school staff. As one mother explained to Bercu,

> I took him to [the detention center] because he was bad, and when he came back home, he still didn't mind me, so I took him back and Mr. Raley sent him to Gatesville. ... [T]hey said when he got straightened out we could get him to come back home. And I need him back home now to do some work, and they're telling me he can't come home.[343]

Eager to rid themselves of their problem children, many parents were all too willing to be misled about living conditions at the training schools. Probation officers described Gatesville "as a prep school," complete with "a swimming pool... nice clothes and good food and a good education."[344] It would seem that parents had little reason to believe such promises. The state training schools' notoriety bordered on legend; closer to home, the county detention center struck fear into teenagers for its run-down, vermin-ridden buildings, as well as its abusive staff. The "D-Home," as teenagers called it, had opened in 1950 with input from the Youth Council's traveling consultants. Seeking an alternative to jail, the home's founders hoped to provide education and nurture to "wayward and underprivileged youths."[345] According to one brochure, the home operated on a medical model of delinquency as "a behavior disorder... that is symptomatic of emotional maladjustment."[346] This description would seem to call for a therapeutic program run by psychologists and psychiatrists; however, the home's founders made the catastrophic decision to place it under the jurisdiction of the

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[343] Bercu quoted in Reddington, "In the Best Interests of the Child," 50-51.
[344] Author interview with Bercu; see also Bill Payne, "The Great Sycamore Jailbreak," *Texas Observer*, 3/12/71, p.11-12.
[345] Payne, "EP Detention Home Fails To Meet Founders' Hopes," *El Paso Times*, 10/26/1970, p.1.
[346] *Ibid*.

county juvenile probation department. On its watch, the home's physical plant fell into disrepair; classrooms went unused and finally served as makeshift storage spaces; and "disgusting" isolation cells harbored long-vanquished diseases like tuberculosis.[347] Apparently ignorant of these conditions, parents used the "D-Home" as a kind of babysitter; teenagers, for their part, learned to despise it. "I'd rather be dead than go back to the D-Home," exclaimed one girl upon her release. "The way they treat you there, all it does is make you hate the person who put you in."[348]

The checkered history surrounding the "D-Home" extended to its administrators, particularly Morris Raley, the chief of juvenile probation. In the early 1960s, Raley had headed the Juvenile Patrol, a police task force plagued by scandal. In 1966, forcible rape charges against two of Raley's subordinates caused the Patrol to be disbanded. The incident added to a resume that included stints as a farm hand and a security guard. Upon becoming chief of juvenile probation, Raley hired an unemployed truck driver for the position of superintendent of the detention home. "95 percent of the kids that come through here don't need psychologists or psychiatrists," he advised. "Most of them are just kids who can't talk things out."[349] His aversion to hiring employees with an iota of training or experience in working with troubled teenagers, however, made it unlikely that kids "talked things out" during their stays in the detention home. Indeed, as Bercu's case gained steam, the county's child protective services division was in

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[347] *Ibid*.
[348] Payne, "'Babysitting' by D-Home Seen Danger," *El Paso Times*, 10/29/1970, p.1.
[349] Payne, "Personnel Qualifications Often Questioned," *El Paso Times*, 10/28/70, p.1

the midst of investigating charges that two of Raley's employees had abused *their own* children.[350]

The practice that landed Raley in court, however, was the "agreed judgment," which Bercu had learned about from the parade of parents who passed through his office. This informal mechanism allowed parents to commit their children to state custody without a hearing in juvenile court. Signed by the parent, Raley, and the county judge, the document appeared to uninitiated readers as the product of an actual courtroom proceeding. The agreed judgment was a boon to the judge, allowing him to open his courtroom to juvenile cases a mere "one afternoon every two weeks."[351] So routine was this practice that it accounted for over one-third (24 of 70) of juvenile delinquency commitments from El Paso County in the year preceding Bercu's involvement. With only about three percent of the high school age population in Texas, the county supplied almost fifteen percent of new commitments to the Gainesville School for Girls alone.[352]

In October 1970, Bercu filed cases on behalf of several teenagers who had been sent to the state training schools. He also raised a "furor" that slowly gathered a great deal of attention. The *El Paso Times* ran an investigative series that expanded on Bercu's discoveries, won a Pulitzer Prize, and elicited a public repudiation of agreed judgments from the district attorney. Parents' reactions ranged from "indifferent to moderately hostile," according to Bercu: "I was interfering with their little family decision that they wanted little Mary or little

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[350] *Ibid*.
[351] Payne, "Questions About Handling Offenders Involve Workings of Juvenile Court," *El Paso Times*, 10/27/70, p.1.
[352] Wooden, *Weeping*, 4.

Billy ... gone for the problems they had caused."[353] The father of Alicia Morales, the fifteen-year-old girl who became the lead plaintiff in the case, was an alcoholic angered because his daughter refused to turn over her wages. Other parents expressed guilt to reporters. "I don't know why I sent her there," mused one mother, while another hoped her son could forgive her for sending him to "a prison."[354]

At least one parent decided to get involved on her child's behalf. Martha Brown had committed her fifteen-year-old son Johnny for reasons that were at once unique and all too typical. Johnny had run away from home several times to visit his sweetheart, a fourteen-year-old girl who had been deported to Juarez, just across the border from El Paso. At her wits' end, Martha had sent her son to the "D-Home" more than once. But then Johnny threatened to marry his girlfriend, sending his mother into a panic. She committed him to Gatesville based on information given to her by probation officer Raley. However, she soon realized that she had made a mistake and hired Bercu to secure his release. Shortly after that, she received a letter from Johnny in which he described being beaten by his caseworker. In January 1971, Martha Brown visited her son and found him shaking and covered in bruises. Fearing more bad publicity, the Youth Council immediately fired Johnny Brown's caseworker, a move that angered the staff at Gatesville. A week later, Martha witnessed her son and over one hundred other boys flee the Gatesville complex while guards stood idly by: a staged escape. In

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[353] Author interview with Bercu.
[354] *This Child is Rated X: An NBC White Paper on Juvenile Justice* (National Broadcast Corporation: May 1971).

the past, the Youth Council had reserved this tactic for frightening the public away from investigations or reforms of the training schools. This time, however, guards had acted alone in support of the fired caseworker. They sent a clear message that the cost of such firings to the Youth Council's public image could be much steeper than the benefits. Unlike officials in Austin, rank and file guards rarely felt the need to apologize for what they did. "I slapped that boy for his own good," explained the fired caseworker to a reporter. "That's the way you have to handle the boys."[355] The incident likely would never have occurred had it not been for Martha Brown's decision to publicize her son's ill treatment, and to visit Gatesville at that fortuitous moment.[356]

From the outset, the case in El Paso attracted the attention of the national television media. In early October 1970, NBC News contacted Youth Council director Turman. The network planned a feature on American juvenile justice and wished to profile the Texas Youth Council. A representative assured Turman that NBC viewed the Texas program as "among the best in the country."[357] On 1 November, Turman met NBC production coordinator Peter Freedberger at the Austin airport and drove him to Gatesville for a guided tour. During the return trip to Austin, Freedberger abruptly asked if he could film inside Gatesville. He specifically wished to interview juvenile inmates from El Paso, even naming individual boys for whom Steve Bercu had filed petitions for release. An angry

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[355] Payne, "The Great Sycamore Jailbreak."
[356] Bercu credited Martha Brown with an "important" role in convincing many other parents that the case against the Texas Youth Council had merit. Author interview with Bercu.
[357] Affidavit of James A. Turman, 1973. Texas Youth Commission. Morales case files, 1947-1990. Archives and Information Division, Texas State Library and Archives Collection (hereafter cited as Morales Case Files).

Turman refused the request, suspecting a coordinated effort between NBC and Bercu to draw the Youth Council into the El Paso lawsuit.[358] Turman had become aware of the El Paso case because Roland Green, the assistant attorney general for the state of Texas, had flown to El Paso to assist with the county's defense. Spying the seeds of a larger case, Green warned Turman to "be on the lookout for Mr. Bercu."[359]

Although Bercu later denied any collaboration with NBC, he was well aware of the training schools' reputation. Moreover, he kept pace with debates in expert circles over the definition of criminal responsibility, the efficacy of "total institutions," and the civil rights of children and adolescents. Just prior to filing suit in El Paso, Bercu had traveled to Chicago to attend a conference on "juvenile prison systems" co-sponsored by the OEO and the Youth Law Center. Formed in the wake of *In re Gault* (1967), the pathbreaking Supreme Court case that set forth strict rules for juvenile courts, the Youth Law Center served as a "back-up center" for the OEO's legal aid offices around the country.[360] It joined other newly formed organizations such as the Children's Defense Fund in providing academic research, political lobbying, public advocacy, and legal aid on behalf of young people from poor and historically disadvantaged groups. When Bercu realized that he had a major civil rights case on his hands, he called the Center for assistance.[361]

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[358] *Ibid*.
[359] Affidavit of Roland Daniel Green, III, December 1972. Morales case files.
[360] Author interview with Bercu.
[361] No published history of the Youth Law Center exists, apparently not even within the organization itself. I learned about it from correspondence (get dates). The Center continues to operate from San Francisco and Washington, D.C. For its most recent research effort, see the web

Not without reason, Turman came to view himself as under siege from all directions. He continued to field requests from NBC News to film in Gatesville. El Paso's state senator forwarded a letter from NBC that trumpeted the film credits of producer Martin Carr, which included the award-winning *Hunger in America* and *Migrant: An NBC White Paper*.[362] These films had dramatized the plight of vulnerable groups and galvanized public action on their behalf. *Hunger in America*, for example, came during a political fight for an expanded national food stamp program.[363] Carr's resume doubtlessly confirmed Turman's worst fears. Although he refused to respond to NBC's written requests submitted between November 1970 and January 1971, Turman scribbled his answers by hand in the margin spaces. These notes track Turman's intransigence, as well as his growing irritation with incursions into his control over information. Over the course of the correspondence, the quality of his handwriting declined noticeably; by the final letter, one can barely decipher Turman's vehement objections and invocations of state laws. Next to a paragraph requesting permission to shoot exterior footage of Gatesville and Gainesville: "[We] agreed to this at the time of [NBC's] visit to Gatesville, they did not choose to do it!!!" Later: "NBC's sole interest has been to interview students, which state law *does not permit according to the attorney general*!" (emphasis his)[364] Turman ignored NBC's first written

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site for Building Blocks for Youth, a research consortium that has published some groundbreaking sociological studies of race and the juvenile justice system. <http://www.bbfy.com>

[362] Peter Freedberger to Senator Joseph Christy, 11/20/1970. Morales case files.

[363] Nick Kotz, *Hunger in America: The Federal Response* (New York: The Field Foundation, 1979), 10.

[364] Patrick E. Higginbotham to James A. Turman, 12/16/1970. Morales case files.

request; the network sent it again by certified mail.[365] When Turman finally responded to NBC, he maintained his dismissive stance, acidly stating that "only a court of competent jurisdiction" could order the Youth Council to allow interviews.[366]

The biggest surprise was yet to come, however. While Turman sparred with NBC, attorney Bercu had decided to seek personal interviews with his juvenile clients, many of whom had no inkling of his efforts on their behalf. In an El Paso courtroom, the state's lawyer countered that Bercu's clients preferred to remain in training school. Bercu obtained a court order allowing him to depose his clients; the Youth Council, in his recollection, "had no idea what was coming next."[367] On 27 January 1971, Bercu and William P. Hoffman, Jr., of the Youth Law Center arrived at the Gainesville School for Girls. They showed their court order to superintendent Thomas Riddle ("some old football player"). Soon Bercu and Hoffman found themselves in a conference call with Youth Council director Turman and assistant attorney general Green. At Green's suggestion, the attorneys were permitted to interview their clients under Riddle's supervision; two days later, the same restrictions applied at Gatesville. Green unwittingly had given Bercu and Hoffman what they had wanted all along – an opportunity to widen the scope of the case. "We were pretty sure [that] we were going after the school as soon as we went in," recalled Bercu; "continuing the lawsuit" until they could

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[365] Higginbotham to Turman, 1/4/1971. Morales case files.
[366] Equally strange, he replied on blank paper rather than agency stationery, which could be interpreted as a sign of contempt, sloppiness, or plausible denial. Turman to Higginbotham, 1/5/1971. Morales case files.
[367] Author interview with Bercu.

find a way to expand it became their primary goal.[368] Within weeks, they sought an injunction in the district court whose jurisdiction included Gainesville, where the presiding judge, William Wayne Justice, seemed most likely to be sympathetic to the juvenile plaintiffs. At that time, Bercu and Hoffman also filed a class action lawsuit to prevent juvenile judges across Texas from committing minors to the Youth Council without due process.[369]

As its setbacks mounted in the courtroom, the Youth Council lost even more ground in the area of public relations. In May 1971, NBC aired *This Child is Rated X* on its Saturday night "White Paper" news magazine. The broadcast took viewers to a Chicago juvenile detention center, an Indiana state juvenile training school, and finally to El Paso. While the film offered critical yet mixed portrayals of Chicago and Indiana, it reserved its harshest indictments for Texas. Two former juvenile inmates from El Paso described their experiences in Gatesville. While his father looked on, Philip Workman, a delicate-looking Anglo boy of fifteen, recounted how guards "whipped" the arches of his feet with a steel rod. Ricky Reed exited a bus after eight months in Gatesville and was greeted by NBC cameras along with his family. According to Reed, guards weighing "close to three hundred pounds" beat boys at random. He described a climate of terror in which boys never knew when a guard might "jump on you." Reed also spent time in the isolation ward of the El Paso "D-Home," which he described as "smelly... with roaches everywhere, no one to talk to, you start to lose your mind."

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[368] Author interview with Bercu.
[369] Kemerer, *William Wayne Justice*, 147-148.

The story then shifted abruptly to El Paso probation chief Morris Raley, whose appearance in the film surely ranked as a case study in unintentional self-defamation. Of the "D-Home" he made the following observation: "It isn't intended as a resort vacation." He gestured toward a large ball of string displayed on his desk, the result of a boy who had unraveled his T-shirt while languishing in solitary confinement. The interviewer suggested that the boy might have been bored; Raley disagreed. "I don't think so," drawled Raley, who found "getting back at any adult, especially his parents" a more likely explanation. For him, the "coddling permissiveness" of parents represented a larger problem than the rough treatment of youth in juvenile facilities.

The film's devastating portrait of Texas juvenile justice culminated the dismantling of images and narratives carefully constructed over a period of two decades. Traumatized teenagers left the training school more in need of therapy than when they entered it. Once connected with local communities throughout the state, the Youth Council cut itself off from both the families of juvenile delinquents and the professionals who shaped intellectual opinion. Wedded to secrecy, the Youth Council struggled to protect its small bureaucratic fiefdom through obfuscation and delay.

Conclusion: The End of A Consensus

As the legal case against the training schools grew, Youth Council director Turman warned that only they could minister properly to "hurt, frightened children."[370] He invoked rhetoric from the salad days of the 1940s, when

[370] Bill Payne, "'Hurt, frightened children,'" *Texas Observer*, 3/12/71, p.6.

reformers attempted to create an institutional home for therapeutic rehabilitation. These gestures increasingly fell upon deaf ears. In its two decades of existence, the Youth Council had presided over the growth of a juvenile gulag. It had redefined juvenile delinquency as an emotional disorder and raised expectations for the efficient measurement, management, and reduction of juvenile crime. None of these measures were successful. Citizens continued to view juvenile delinquents as dangerous criminals, even though most were guilty of nonviolent or status crimes. Juvenile courts continued to operate according to local customs, even flouting federal decrees that adolescents be afforded due process rights in the courtroom. Perhaps most importantly, juvenile crime continued to rise throughout the first two decades of the Youth Council's existence.

The main reason for these failures was the continued primacy of the juvenile training school. The Youth Council's retreat from community-based prevention programs coincided with the ascent of James Turman to the agency's directorship. As the agency's clinical psychologist, Turman had shown a marked preference for the status quo. In his eyes, the mobile clinic experiment of the early 1950s demonstrated not the usefulness of preventive counseling, but rather the need for intake diagnosis at the training school. He used dubious diagnoses in repeated attempts to expel African Americans from Gatesville. In the late 1950s, when he advocated the separation of violent and nonviolent juvenile inmates, Turman could have chosen to create community-based programs for less serious offenders. Instead, he successfully lobbied for the construction of yet another prison-like institution, the Mountain View School for Boys. Years of budget

shortfalls did not prevent Turman from building expensive institutions. Facing a legislative inquiry in 1969, Turman found funds for yet another training school, this time located in the home district of a key political supporter.

By the time Steve Bercu began fielding complaints in his El Paso office, the Texas Youth Council had become a bureaucratic island unto itself. His adherence to institutions had left Turman isolated from his professional peers, who were rethinking definitions of crime and delinquency. "Child mental health" had helped give birth to the Texas Youth Council, yet it also gave rise to expectations that would tear it apart. A consensus to trust the word of experts on the subject had come to an end. The anguished testimonials of ordinary parents and children displayed an incompatibility between the idea of rehabilitation and the reality of the training school. Promising compassion, it had delivered pain; promoting citizenship, it had produced inmates. Increasingly, the public lay the blame for "hurt, frightened children" not with parents but with the Youth Council itself, setting the stage for a full-scale assault upon the cultural definition of juvenile delinquency in Texas and the nation.

Chapter 5: *Identity Crisis, Identity Politics: Creating a "Right" to Adolescence, 1971-1988*

On Labor Day morning in 1971, one day before opening testimony in the *Morales* case, a "riot" erupted at Gatesville. The source of the disturbance was the Sycamore unit, reserved for those high school age boys deemed "capable" of working at academic grade level. Large numbers of boys began huddling together during breakfast, which alarmed guards so much that they halted the day's routine and returned everyone to their separate dormitories. This action, however, came too late. Within hours, a group of about ninety boys gathered on the athletic field and marched off the grounds, while a guard supervisor tried in vain to dissuade them. As the marchers approached a nearby highway, they met with a small contingent of guards ready for a fight. In a response that was clearly rehearsed, the boys laughed and casually walked around the blockade. Television cameras arrived on the scene in time to witness highway patrolmen halt the march by firing shotguns in the air. Mere hours after it had started, the protest came to an end.[371]

Nevertheless, the boys had "accomplished their goal" of drawing attention to their dissatisfaction with conditions in Gatesville. The timing was crucial; the upcoming court hearing would decide on whether to expand the scope of *Morales v. Turman* beyond procedural violations in the state's juvenile courts to include conditions of confinement. The protest march therefore irritated and worried

[371] Statement of M. B. Kindrick, Superintendent, Gatesville School for Boys, "given shortly after the riot on September 6, 1971," submitted to the Texas Attorney General, 8/29/1972. Morales case files.

Gatesville supervisors as well as the top officials of the Texas Youth Council. Where past generations of aggrieved inmates had sought escape or release on an individual basis, the Sycamore insurgents had acted collectively; although no information survives about specific participants, their sheer numbers suggest that boys shelved longstanding rivalries and disputes on behalf of their shared interests in gaining their freedom. Officials were also unnerved because the boys had carried off a protest devoid of violence or property damage, which supported the idea that they were at least partially innocent victims rather than hardened criminals. The "peace march," as officials privately referred to it, was more likely to evoke a civil rights protest than a jailbreak. Hard-pressed to label the incident an escape attempt, Gatesville officials instead called it a "riot." They feared that the inmates were taking over the proverbial asylum, not by force, but with the assistance of activist attorneys and a sympathetic judge. As juvenile inmates began to achieve a collective status as an oppressed social group, their jailors began to worry. "[T]he riot was successful," admitted the Gatesville superintendent, M.D. Kindrick, and moreover, "the students now know it can be done." The protest galvanized even those inmates who did not participate, who were heard cheering loudly while they watched coverage on the local evening news.[372]

Equally as important, the protest confounded the outdated definitions of delinquent behavior that had provided Gatesville officials with a framework for understanding everyday episodes of defiance. In the 1960s, terms like juvenile

[372] Statement of Sycamore Riot Discipline Committee, undated 1972. Morales case files.

delinquency, rehabilitation, and identity took on new meanings. Social scientists increasingly turned their attention from the immediate causes to the cultural definitions of juvenile delinquency. In an influential series of essays, sociologist Howard Becker argued that "social labeling" sorted a range of practices and behaviors into categories of "normal" and "deviant." Too often, he claimed, adult authorities interpreted youthful behaviors as "delinquent" without attempting to understand the contingent meanings arising from their immediate social, economic, and cultural contexts.[373] The results: underprivileged young people guilty of minor offenses were brought into the juvenile justice system, where they often learned how to become the criminals that authorities already thought they were. Labeling thus "tracked" teenagers into what the Chicago sociologist Clifford Shaw decades earlier had called "delinquent careers;" it was a self-fulfilling prophecy that helped fill the nation's jails and prisons with "graduates" of juvenile training schools. Joining Becker's critique was federal judge David Bazelon, already an advocate of treatment over punishment for adult offenders suffering from mental illness. In his 1972 address to the National Council of Juvenile Court Judges, Bazelon issued the following harsh indictment: "[I]n fifty long years of juvenile court experience, we just have not learned how to 'treat' delinquents. As long as the community views you as a prevention agency and refers its social and behavioral problems to you, the root problems will not be attacked."[374] Bazelon rejected the notion that juvenile training schools could offer

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[373] Howard Becker, *Outsiders: Studies in the Sociology of Deviance* (New York: The Free Press, 1973 [1963]).
[374] Quoted in Geraldine Youcha, "The People Versus Juvenile Justice," *Parents* (May 1972), 47.

meaningful treatment to troubled adolescents. By pretending to do so, in his view, training schools had allowed themselves to become dumping grounds for countless numbers of truants, curfew-breakers, underage drinkers, and "ungovernable" teenagers who often posed no immediate threat to anyone but themselves.

Like the 1940s, proposals to replace large institutions with community-based programs were gaining steam. An unprecedented level of frustration with training schools accompanied them. Not only was the training school as much an incubator of criminality as the adult prison, charged critics, it had subjected generations of young people to all manner of physical and psychological abuse. It fostered a more severe brand of labeling than society at large; in the Texas training schools, this took the form of pseudoscientific diagnoses, stigmatizing punishments, and degrading nicknames. Expert critics began to view abuse and failure as the inevitable outcome of any training school, regardless of the qualities of its physical plant, individual staff, or overall program. The training school, they argued, was a "total institution" whose failings were immune to reform. The best articulation of this viewpoint appeared in Erving Goffman's groundbreaking book *Asylums* (1964). Goffman had coined the term "total institution" to explain the culture of "surveillance" that he observed during a participant-observation study of a psychiatric hospital. The impetus for social control shaped virtually all interactions between staff workers and patients (whom Goffman called "inmates," likening them to prisoners). Even well meaning workers, he found, were compelled to subordinate inmate treatment to the orderly functioning of the

institution. In prison, male inmates suffered a loss of individual identity, invasions of privacy or "contaminative contact," and assaults on masculinity. The yardstick for evaluating "recovery" was the degree of individual conformity to the institution's rules, which meant that patients emerged from the hospital ill fitted for the more fluid roles and relationships of the wider world.[375] Goffman influenced those critics who attacked the juvenile training school in mass-market magazines by the 1970s. These articles often contrasted the ills of the training school with emerging experiments with halfway houses, group homes, and intensive work, education, and recreation programs. In Massachusetts, a young professor of social work named Jerome Miller took the unprecedented (and never repeated) step of shutting down all of the state's training schools, which he called "juvenile prisons." He told *U.S. News and World Report* of "institutionalized kids whose personalities became modeled on the institution – they were well-behaved behind walls but troublemakers in the community when released."[376]

Underscoring the urgency of the training school crisis was the fact that its chief victims were adolescents, who were by definition "impressionable," malleable, and thus vulnerable. By the early 1970s, Americans had come to view adolescence as a formative and precarious stage in the life course. Psychologists, led by Erik H. Erikson, had firmly established adolescence as a time of pronounced risk-taking, role experimentation, rebellion, and strong emotion. These traits stemmed from an "identity crisis" detectable, so its proponents

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[375] Erving Goffman, *Asylums: Essays on the Social Situations of Mental Patients and Other Inmates* (Garden City, NY: Anchor Books, 1961), 1-124.

[376] "End of Reform Schools? New Trend in Treating Delinquents," *U.S. News & World Report* (July 17, 1972), 44-46: 44. See also Joseph P. Fitzpatrick, "They're Sending the Delinquents Back Home," *Commonweal* 97 (February 2, 1973), 395-398.

argued, in various cultures and historical eras. The resolution of this crisis occurred "when each youth must forge for himself some central perspective and direction, some working unity, out of the effective remnants of childhood and the hopes of his anticipated adulthood; he must detect some meaningful resemblance between what he has come to see in himself and what his sharpened awareness tells him others judge and expect him to be."[377] Ideally, the outcome of this psychological journey was a "positive conscience," in which individual creativity flowered within the limits imposed by social mores. Contrarily, an unresolved identity crisis could lead to the assumption of a "negative identity," personified by juvenile delinquents, criminals, and monsters of history such as the Hitler Youth Brigades.[378]

Regardless of its accuracy, the vast influence of identity theory across and outside the social sciences was clearly an artifact of its historical moment. To come of age in the 1950s was to experience opportunities and freedoms undreamt of by earlier generations of youth. An unprecedented majority of American adolescents attended high school, where their predecessors had been as likely to be employed in full-time wage labor. Moreover, thanks to the "baby boom," young people represented a larger percentage of the overall population than in past years. These conditions proved fertile for the development of a distinct adolescent peer culture, a phenomenon that captivated social commentators as well as merchants of mass culture. In the era of the "teenager," young people

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[377] Erik H. Erikson, *Young Man Luther: A Study in Psychoanalysis and History* (New York: Norton, 1962), 17-22.
[378] Erikson, *Childhood and Society* (New York: Norton, 1950).

suddenly had access to a new world of consumer goods, extracurricular activities, media texts, cultural styles, and leisure pursuits. Erikson, for one, lauded these new features of modern adolescent life. In his view, healthy adulthood depended largely upon the existence of a "psychosocial moratorium," or a period of delayed adult responsibility, in which to "find" oneself. In the postwar era, this moratorium took on the character of a national birthright; it was not only "normal" but expected that teenagers would prolong their education, rebel against adult authority, try on various identities, and eventually, mature into good adult citizens.[379]

While popular culture portrayed them as misguided but typical teenagers, in real life, juvenile delinquents rarely enjoyed the benefits of the psychosocial moratorium. Juvenile training schools bred far more deviants and criminals than they salvaged, as illustrated all too vividly in *Morales v. Turman*. For training school inmates, role choices were few and unappealing; almost all fell into the category of "negative" identities. Poorly educated guards applied harebrained "diagnoses," handed out degrading nicknames, assigned debasing and grueling labor tasks, and devised numerous ways to torment and humiliate individual inmates. The brunt of these practices often fell upon those inmates who supposedly departed from traditional definitions of masculinity and femininity. Delicate or smallish boys became "punks," occupying the lowest level of a rigid caste system, while many girls suffered an adult presumption of sexual

[379] For Erikson's own commentary on the fascination with youth in the late 1960s, see his *Identity, Youth, and Crisis* (New York: Norton, 1968). More recently, but for similar reasons, scholars call the period from World War II to the 1980s the "golden age of the teenager." See Grace Palladino, *Teenagers: An American History* (New York: Basic Books, 1996); and Thomas Hine, *The Rise and Fall of the American Teenager* (New York: Avon Books, 1999).

"deviance" based upon their very presence in an all-girl training school. The sex system affected greater numbers of girls but inflicted deeper wounds upon those boys, especially those labeled "punks." Masculinity was the currency of psychological survival for boy inmates, many of whom lived in fear of physical and sexual assaults from both other boys and adult guards.

As the word "punk" suggests, names and labels were embedded in the institutional culture of the training schools. The meanings of even basic words engendered heated arguments during the trial. Youth Council officials routinely described as "children" or "students" those individuals referred to by opposing attorneys as "inmates." A facility that would be called an isolation ward in any adult prison became a "security treatment center." "Youth activities supervisors" looked and behaved much like prison guards. Cigarette breaks stood in for "recreational activities." These terminological distinctions reflected three decades' worth of failed reforms. Seeking to install "child mental health" in the training schools, the Youth Council instead had allowed half-started reforms to languish and become a veneer of science, professionalism, and compassion. Past hopes that "little crime schools" could become actual schools had surrendered to the inexorable logic of the total institution, where the maintenance of order squeezed out all other considerations, including meaningful education, recreation, treatment, and rehabilitation. Dependent upon the training schools for its very existence, the Youth Council found itself powerless to counter the most penetrating dispute over nomenclature – that it ran not schools but prisons.

Lawyers challenged the Youth Council in ways that revealed generational and cultural divides. Section One of this chapter explores the myriad ways that civil rights attorneys disrupted the everyday institutional cultures of the training schools during the early stages of the case. Representatives of the American Psychiatric Association, the United States Department of Justice, and the University of Texas also visited the training schools. They sometimes turned the tables on the staff, embarrassing them in front of inmates while emboldening teenagers to defy rules and routines. "Hippie"-looking attorneys, themselves not much older than their clients, flouted the usual rules of dress and decorum, obtaining heroic status among most juvenile inmates. Among their number were several assertive women attorneys who, in the course of carrying out their lawyerly duties, became exemplars of independence for girl inmates whose curriculum focused upon "traditional" women's roles as homemaker, hairstylist, or secretary.

Determined to prove that the training schools remade troubled teenagers into lifelong inmates, attorneys solicited extensive testimonials from juvenile inmates, expert witnesses, and Youth Council officials. Section Two demonstrates that the use of punishments, labor details, and solitary confinements bludgeoned inmates into conformity with the rules, a process that cost many individuals their self-respect and dignity as well as a "healthy" identity. Section Three suggests that the historical importance of the *Morales* case was that it combined a plural and contingent notion of identity with the developmental and hence universal model of identity formation. Evidence of racist and homophobic practices

prompted arguments that a healthy realization of the identity crisis depended upon the official encouragement of "cultural," racial, ethnic, and sexual identities. According to the final decision, a constitutional "right to rehabilitation" mandated that troubled teenagers and juvenile offenders alike receive individualized treatment that also recognized identity-based differences. To achieve such lofty standards, the decree called for the deinstitutionalization of most of the state's juvenile delinquents. It promulgated massive reforms at the national, state, and local level, intended to protect adolescents from abuse, that have provoked debate among recent scholars. In the conclusion, I explore the unintended consequences of *Morales v. Turman*. By attempting to elevate juvenile rehabilitation to the status of a civil right, it hoped to extend the privileges of the "psychosocial moratorium" to the least privileged adolescents in American society. In other words, it sought to make juvenile delinquents into teenagers rather than inmates. And yet, subsequent decades have seen the increasing "adultification" of young offenders, with juveniles tried and sentenced as adults, and depicted as sophisticated criminals in the mass media. Legal scholars have portrayed a lethal combination of a discredited juvenile justice system and a sharp increase in violent juvenile crime. Equally important, I contend, was the erosion of public faith in the idea of rehabilitation, as well as the understanding of adolescence on which it was based. Ironically, the push to expand the protective envelope of adolescence to include the least among us helped engender the opposite effect.

I. Disrupting Institutional Culture

The Sycamore "riot" highlighted the growing disruption of daily life at the training schools. Only two months earlier, in July 1971, Judge William Wayne Justice, the district judge who presided over *Morales v. Turman*, had mailed a questionnaire to all 2,500 training school inmates. An enclosed letter informed inmates, many for the first time, that the Youth Council was standing trial. Inmates were assured that their responses would be kept confidential, in keeping with the court's interest in protecting their "legal rights."[380] The questions focused upon whether inmates had received a court hearing or counsel before being committed to the Youth Council. Of the 2,294 respondents, 863 had hearings but not attorneys, while 280 saw neither a judge nor a lawyer; in other words, officials had broken the law in their commitments of nearly half of all inmates.[381] As if these revelations were not damning enough, about fifty respondents scribbled on the back of their questionnaires handwritten descriptions of abuses suffered at the hands of staff workers. In November 1971, over state objections, Bercu obtained permission to conduct one-on-one interviews with all 2,500 inmates in the training schools.

In January and February 1972, over one hundred attorneys and law students from the University of Texas and Southern Methodist University conducted hundreds of interviews in school gymnasiums. The interviews became occasions for minor but revealing clashes between staff workers and aspiring young attorneys. For example, guards who routinely permitted, even encouraged,

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[380] Letter from Justice, reproduced in Reddington, "In the Best Interests," 55.
[381] *Morales v. Turman*, 35.

the act of smoking cigarettes protested when interviewers offered them to inmates. One irate Gatesville guard confiscated a pack of cigarettes from an attorney after she had offered several of them to inmates. Youth Council officials viewed the incident as an example of the pernicious, peer-like influence of Bercu's youthful assistants.[382] But the school guards made unconvincing opponents of teen smoking. So pervasive was smoking in the training schools that a visiting psychiatrist later singled out "seeing young teenage girls through a thick cloud of cigarette smoke" as her "most vivid memory."[383] Cigarettes long had been integral to the system of rewards and punishments; some dormitory supervisors even recognized smoking as a "recreational" activity. Why, then, the objections to smoking during interviews with attorneys? Already a threat to the guards' authority, lawyers who passed out cigarettes unwittingly seized control over a key element of the reward structure. Cigarettes were as much a form of currency in juvenile institutions as they were in adult prisons, and guards feared that boys would associate the pleasure of smoking with the deposition process.

Youth Council lawyers collected other evidence suggesting that the interviews cultivated disrespect for staff. One Gatesville caseworker recalled being informed by a boy that the "staff was not qualified as correctional workers nor did the program rehabilitate boys."[384] Staff expressed fear that inmates who believed their release imminent would defy rules and backslide from their path

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[382] Statement of Paul F. Bromser, Unit Superintendent, Gatesville School for Boys. 8/28/1972; Statement of T. F. Schloeman, Unit Superintendent, Gatesville, 8/23/1972. Morales case files.
[383] Deposition of Gerda Hansen Smith, 5/21/1973. Morales case files.
[384] Statement of Jesse L. Smith, Casework Supervisor, Gatesville School for Boys. Undated, 1972. Morales case files.

toward rehabilitation. Others, particularly at Gatesville, claimed to have unearthed intimidation tactics during interviews. An inmate who refused to describe the cleanliness of his meals as anything other than "all right" supposedly goaded his interviewer into a confrontation. When he was accused of lying, the boy allegedly shoved the meeting table into his questioner's chest, then stalked out of the gym. In another interview, an "annoyed" law student demanded that a boy "quit lying" about his treatment from guards. The response, in this telling: "I don't have to answer any questions from you, you long-haired S.O.B."[385]

The use of women interviewers seems to have exacerbated the sense of injury among staff. At Gatesville, this merely underscored one similarity between the training school and the prison. Boys who never had learned how to behave around girls were unlikely to learn in an all-male environment where survival often depended upon exaggerated displays of masculinity. And yet no reports surfaced of sexual impropriety. The presence of female professionals seems to have disturbed the adult guards far more than the supposedly hypersexual boys. Well-educated and assertive, women interviewers who offered cigarettes to boys, then argued about it with guards, probably posed a threat to authority beyond the mere disruption of established smoking schedules. The effect was quite different with girl informants, who sometimes viewed female attorneys as role models worthy of the kind of respect never given to school staff. One Gainesville girl, given cigarettes contrary to a written order from her father, emerged from her

[385] Statement of Leonard C. Winters, Youth Activities Supervisor, Gatesville School for Boys. 8/28/1972. Morales case files.

deposition proclaiming her disdain for staff and her desire to "wear pants" like the woman who interviewed her.[386]

As much as the staff resented the incursion of female attorneys, they clearly despised their male colleagues even more. At Gainesville, Bercu's unannounced appearance in a cosmetology class "terribly excited" trainees, who quickly abandoned the haircuts they were in the middle of giving. The flustered instructor then found herself fielding questions from Bercu about her qualifications to teach hairstyling.[387] Ironically, Bercu's own long hair and "hippie" appearance deeply offended Youth Council attorneys, officials, and staff workers. To many of the inmates, however, Bercu's look was a breath of fresh air in a landscape of crew cuts and uniforms. "We looked like rock stars to [the kids]," says Bercu, who "made a point" of irritating the staff by wearing long hair, beard, blue jeans, and unbuttoned shirts on his visits to the training schools.[388] Boys "thought it was pretty cool," while girls "loved it;" employees, meanwhile, struggled to re-establish order after Bercu visit. At Gainesville, girls became "extremely defiant" and "unusually abusive" toward their captors. Angry claims to "rights," tirades against "God damned M.F. state people," and threats to have the school closed down resulted in a tripling of the number of girls placed in solitary confinement.[389] Equally exciting to inmates was the fact that Bercu wielded real power:

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[386] Statement of Wanda Wallace, Dorm Supervisor, Gainesville School for Girls. 5/21/1971. Morales case files.
[387] Statement of Dorothy Moore, Instructor, Gainesville School for Girls. 8/4/1972. Morales case files.
[388] Author interview with Bercu.
[389] Statement of James L. Braswell, Director, Security Treatment Center, Gainesville School for Girls, 8/4/1972. Morales case files.

> The main thing... [was] that we could push these guys around. These were their tormentors. When we came in, everyone got deferential immediately. As far as the kids were concerned, it was... unbelievable. We would come in there, a bunch of hippies basically, and everybody would back off.[390]

While Bercu's appearance angered officials and excited inmates, it apparently meant little to Judge William Wayne Justice. Only one year before the start of *Morales v. Turman*, Justice famously had overturned a ban on long hair at Tyler Junior College, a ruling that town fathers had warned would "destroy the college."[391] A native of Tyler, Texas, and an appointee of President Lyndon Johnson, Justice had ordered Robert E. Lee High School in Tyler to replace the school song, "Dixie," and the school flag, the confederate stars and bars that many Southern schools and government buildings had erected in response to court-ordered desegregation. In another case, Justice agreed with plaintiffs that Tyler High School cheerleader selection practices were discriminatory. He issued several unpopular but key decisions that garnered him a reputation as a judicial activist and, according to his biographer, a defender of individual freedom and dignity against incursions from the state.[392]

In recognition of Justice's concerns, Youth Council attorneys claimed that legal aid attorneys were exploiting their juvenile clients for personal and strategic gains. For evidence, they produced letters from inmates. "All they do is lie and try to get all the money they can before they say they cannot help you," stated one

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[390] Author interview with Bercu.
[391] Paul Burka, "The Real Governor of Texas," *Texas Monthly* (June 1978), 113-200: 189; this article is discussed in Martin and Ekland-Olson, *Texas Prisons*, 88.
[392] Kemerer, *William Wayne Justice*.

handwritten note from a Mountain View inmate.[393] In fact, officials had manipulated the situation to produce such letters. Tom Dixon, an associate of Bercu's from Dallas, had filed a series of release petitions in fall 1971. In response, Dallas district attorney Henry Wade informed Dixon in February 1972 of his intention to fight each writ in court and re-file charges against juveniles who already had won release. Dixon was forced to solicit funds from inmates' families for court costs, a difficult task given that some parents were less than eager to see their children released from training school. "Your mom says they simply don't have it," explained Dixon in one letter, "and I don't think she wants anything to do with me anyway. You'll need to talk this over with your father in person."[394] Inmates who hailed from the Dallas area received a letter informing them that Dixon would be unable to secure their release, as he had promised.[395] Casting further suspicion on inmate complaints, training school staff had censored outgoing mail to legal aid attorneys, in defiance of a court order, but encouraged letters to Youth Council lawyers.[396] It was not unusual for refraining from writing to attorneys to be included on the list of inmates' "treatment goals." "As long as I write you," one Gainesville inmate later told Bercu, "is as long as I am going to stay."[397]

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[393] Statement of anonymous inmate at Mountain View School for Boys, undated, 1972. Morales case files.
[394] Thomas A. Dixon to Mountain View inmate, undated, 1972.
[395] Dixon to "TYC Clients in Gatesville," 12/16/1971. Morales case files.
[396] Statement of Joe Sasse, Dormitory Supervisor, Mountain View School for Boys, 8/23/1972. Morales case files.
[397] Deposition of 16-year-old inmate at Gainesville School for Girls, 7/11/1973. Morales case files.

Staff workers believed that inmates were better off in the training schools. "So many of the girls' parents are too permissive," advised one trainee from Texas Woman's University.[398] Her viewpoint typified that of the Youth Council, including its director, James Turman. He once had lectured Dixon that he "should be less interested in releasing these kids and more interested in their dispositions." But Dixon did indeed worry about the fate of his clients should they be released; many of them, he conceded, had "no place to go." In November 1971, he requested permission for representatives of Dallas-area "halfway houses and religious agencies" to discuss placement options for his juvenile clients. Turman never replied to this inquiry.[399] Turman's staff fed him information designed to squelch any interest in cooperating with Dixon. From Gatesville came retainer invoices and written affidavits from boys. According to these documents, Dixon charged exorbitant fees and encouraged his clients to "mess up" or run away. "I don't give a shit what happens," Dixon supposedly boasted, "I can get you out."[400]

These shenanigans confirmed Erving Goffman's observation that rank-and-file staff at the "total institution" carefully controlled the "flow of information" between inmates, "higher staff levels," and the outside world.[401] It is hardly surprising that training school staff intimidated inmates and censored communications with attorneys. The packaging of documents for Youth Council

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[398] Deposition of Pam Armstrong, Caseworker, Gainesville School for Girls, 8/4/1972. Morales case files.
[399] Letter, Thomas H. Dixon to James A. Turman, 11/29/1971. Morales case files.
[400] Memo, Dwain Place, Superintendent, Gatesville School for Boys, to Turman, 12/15/1971 and 12/21/1971. Morales case files.
[401] Goffman, *Asylums*, 8.

director Turman, ostensibly a defender of his own institutions, displayed a remarkable degree of concern for controlling information. Additionally, big-city district attorneys awaited any released inmates with new arrest warrants for old offenses. Several inmates returned to the training schools, where they were recruited to swear out complaints against Steve Bercu. "I misrepresented the truth because I was desperate to be released," claimed one Gainesville girl who "want[ed] to tell the truth this time."[402] The momentous offense for which she had landed in Gainesville in the first place: writing bad checks. Letters from parents sympathetic to the Youth Council portrayed legal aid attorneys as meddlers in the disciplining of disobedient youth. "I sincerely cannot understand why they are doing these things," wrote one parent; "I believe that they will only hurt the kids more than help them."[403]

II. Courtroom Testimony: Abuse and Brutality

More influential in the courtroom were those parties who believed the opposite was true, that juvenile delinquents suffered far more harm in a training school than they would at home. Judge Justice invited the Justice Department to join the case, resulting in the deployment of FBI agents to inspect and photograph the Texas training schools. The Mental Health Law Project, a nonprofit legal aid firm, joined on behalf of the American Psychiatric Association and the American Psychological Association. The influx of such prestigious participants allowed Bercu to solicit key testimony from a range of well-known experts on youth and

[402] Statement, anonymous Gainesville inmate, 5/3/1971. Morales case files.
[403] Letter from anonymous parent to "Miss McGowan," Gainesville School for Girls, undated, circa summer 1971. Morales case files.

corrections. It also helped convince Judge Justice to order participation-observation studies of daily life in the training schools. Gerda Hansen Smith, a psychiatry instructor at the University of Texas Medical Branch in Galveston, led a team of researchers who spent two weeks living at the Gainesville School for Girls. Smith was "appalled" by both the physical conditions and the use of language to paper over them. According to the Youth Council's published literature, inmates lived in "home-like cottages" with "private rooms."[404] The word "cottage," observed Smith, implied "something... warm and cozy," while "private room" suggested "a teenager's room... my daughter's and my son's room." The interior of the cottage resembled nothing more than a cell block: "dark, narrow corridors with teenage girls looking out a slightly opened door that was chained." Each "private room" contained "a cot projecting from a concrete block wall with a heavy wood door, with a little peephole up at the top, [and] with a window that looked out that had a heavy screen on it."[405]

Similar contradictions bedeviled longstanding descriptions of "house parents" who "functioned much like parents in a home."[406] In any other setting, the brand of parenting that actually existed in the training schools would have drawn charges of child abuse – even in the 1970s. The primary sources of information, the juvenile inmates themselves, who testified in open court and gave depositions in closed-door meetings. The Youth Council long had insisted on the untrustworthiness of such statements, claiming they were tainted by the

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404 *Annual Report of the Texas Youth Council to the Governor for 1971* (Austin, TX: 1972), 29.
405 Deposition of Gerda Hansen Smith, Instructor in Neurology and Psychiatry, University of Texas Medical Branch, 5/21/1973. Morales case files.
406 *Annual Report for 1971*, 29.

obvious prospect of release, an innate proclivity for lying, and adolescent immaturity. These arguments fell flat, in large part due to the efforts of Jerome Miller, who helped convince Judge Justice of the value of inmate testimony. The Texas Youth Council and its training schools looked all too familiar to Miller. He had just completed four controversial years as director of the Massachusetts Department of Youth Services, where he had rocked the world of criminal justice by summarily closing down all of the state's institutions for juvenile delinquents. In the process, Miller had developed an unsparing and incisive critique of institutions that gained much of its power from the fact that he was no ideologue, but a pragmatist whose views were borne of experience.

Miller came to Massachusetts with experience as a psychiatric social worker in the Air Force, counselor to troubled adolescents, and professor at Ohio State University.[407] Brought to Massachusetts to clean up the state's scandal-ridden juvenile facilities, Miller quickly became frustrated in attempts to enact even mild reforms. Veteran workers accustomed to a prison-like program of control and custody proved unable or unwilling to learn new methods of treatment. Their staff association, a powerful lobby at the state legislature, demanded that politicians rein in or oust Miller. Community groups, fearing the prospect of delinquents let loose, lodged their opposition to anything that might reduce the size of the inmate population. Miller soon discovered several groups with a vested interest in the maintenance and even expansion of the status quo.

[407] Unless otherwise noted, the following discussion of Jerome Miller and his "Massachusetts Experiment" comes from his autobiographical *Last One Over the Wall: The Massachusetts Experiment in Closing Reform Schools* (Columbus, OH: Ohio State University Press, 1991). For a critical though somewhat unfair review that clearly states changing opinion in the 1990s, see John J. DiIulio, "Deinstitutionalized Delinquents," *Public Interest*, 107 (Spring 1992), 130.

They had become "feeder" institutions to the larger "prison-industrial complex" that, as scholars such as Ruth Wilson Gilmore and Christian Parenti contend, emerged in the latter half of the twentieth century.[408] Like prisons, juvenile institutions were not going away; instead, they were expanding. As the nation abandoned its poor populations, its investments skyrocketed for the construction of prisons – an economic shift that Gilmore calls "carceral Keynesianism."[409] The tide of prison growth carried juvenile institutions in its wake; for their proponents, both symbolized scientific as well as social progress. Recall that in 1949 (Crockett), 1962 (Mountain View), and 1969 (Giddings), the Texas Youth Council had touted bigger and more "modern" training schools in precisely such language, even as they downplayed their economic benefits to specific individuals and groups.

Jerome Miller confronted a similar situation in Massachusetts, where individual institutions were entangled in political patronage and the local economy. Politicians whose districts contained training schools regularly obtained jobs for their relatives and friends. Why, one might ask, would such a traditionally unattractive job require the imprimatur of a powerful connection? The answer is that the labor market was in the midst of a historic shift. In a time when industrial jobs were leaving the unionized Northeast for the unregulated Sun Belt, the Massachusetts training schools hired large numbers of unskilled and semiskilled service workers – even for positions that seemingly would require professional

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[408] Ruth Wilson Gilmore, "Globalisation and U.S. Prison Growth: From Military Keynesianism to post-Keynesian Militarism," *Race and Class*, 40 (1998/99), 171-188; see also Christian Parenti, *Lockdown America: Police and Prisons in an Age of Crisis* (New York: Verso, 1999).
[409] Gilmore, "Globalisation and U.S. Prison Growth," 174.

training. Few of them structured their daily routines around juvenile rehabilitation, and so had no use for Jerome Miller's attempts to retrain staff or to demote the maintenance of order to a lower place on their list of priorities. Only after years of failed reforms did Miller reluctantly opt for a wholesale closing down of the institutions, some of which dated back to the early nineteenth century. Hundreds of juvenile delinquents became residents of halfway houses and group homes, which were staffed largely by college students eager to contribute to Miller's "Massachusetts Experiment." Many other delinquents participated in therapeutic, recreational, and educational programs while living at home. The experiment attracted international attention from such luminaries as Ivan Ilich, the Russian advocate of deinstitutionalization, and Michel Foucault, the French philosopher-historian who went on to write a provocative account of the birth of the prison in Western civilization. Harvard sociologist Lloyd Ohlin launched what would become a multi-year study to determine the experiment's impact on the juvenile crime rate.[410]

Closer to home, however, Miller found himself attacked as an "anarchist" by politicians and reporters, sabotaged routinely by members of his own staff, and driven out of the state by January 1973, when he became director of the Illinois Department of Child and Family Services.[411] His decision to visit Texas brought

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[410] Miller, *Last One Over the Wall*, Preface, discusses international interest. Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Pantheon Books, 1977), argues that eighteenth-century French prisons shaped unruly inmates into docile industrial workers, while Miller and other American critics long had viewed juvenile training schools as feeders for the adult prison system. On the studies of Massachusetts, see Robert B. Coates, Alden D. Miller, and Lloyd E. Ohlin, *Diversity in a Youth Correctional System: Handling Delinquents in Massachusetts* (Cambridge, Mass.: Ballinger Pub. Co., 1978).
[411] *Ibid.*

Miller the enmity of his professional peers. That June, a meeting of the National Conference of Superintendents of Training Schools and Reformatories voted overwhelmingly to censure Miller. A few weeks later, as Miller addressed a New Orleans meeting of the National Council on Crime and Delinquency, an emissary of the Texas attorney general surreptitiously recorded his comments.[412]

Undeterred, Miller visited the Mountain View School for Boys twice in summer 1973. On his first visit, he received a guided tour from school officials. Certain that he had not seen everything, he approached a boy who was hoeing in a grove of peach trees on the side of a hill. The boy told Miller to look on the other side of the hill, in an area not visible from the front entrance. There, Miller found boys "all in a line in these uniforms, hoeing at the open ground in a useless sort of fashion, in unison, [like] the old chain gang."[413] In the isolation ward, he found battered, bruised, and terrified boys, only a few of whom would even whisper their complaints aloud for fear of retribution. Days before the start of the trial phase of *Morales v. Turman*, Miller returned with Judge Justice in tow, taking him straight to the isolation ward. Any doubts Justice may have harbored about the veracity of inmate testimony paled in the face of what he saw. Miller's former informants, shaking with fear and covered in fresh bruises, begged him to leave. It was all too obvious what had taken place since Miller's last visit. According to Justice's biographer, "it was a very unsettling experience" for him; most of the boys looked hardly a day over fourteen years old.[414] Clearly, for an inmate, to

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[412] *Ibid*., 214-215.
[413] Deposition of Jerome Miller, 6/19/1973. Morales case files.
[414] Kemerer, *William Wayne Justice*, 156-157.

testify was to take great risks to life and limb. "All of the pressures are on him not to say anything," argued Miller. In Massachusetts, it was typical for a boy to confide privately to Miller about abusive treatment. "[W]hen we got to taking a formal statement, with his knowledge that generally he's going to be in that system awhile, face to face with the people he's accusing," however, the average inmate did the "prudent" thing: "clam up."[415]

During the trial, juvenile inmates feared for their safety, despite reassurances from representatives of the Texas Attorney General. The crowds that filled the courtroom, which included reporters and Youth Council officials, added to their trepidation. Occasionally, when witnesses seemed too paralyzed with fear to speak, Judge Justice cleared the courtroom. As their stories unfolded, observers from the national media began to appreciate their courage. They gave "astonishing testimony," according to journalist Kenneth Wooden, made all the more so because it indicted school guards and officials who often were sitting only a few feet away.[416]

One of the signal promises of the Texas Youth Council when it came into being in 1949 was that it would do away with physical violence in the training schools. One witness after another demonstrated with devastating clarity that the schools had become, if anything, more dangerous places than ever. One of the worst stories was that of C.W., who had entered Gatesville at the age of fourteen. New inmates such as C.W. were considered "fresh fish," meaning they had to

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[415] Deposition of Jerome Miller.

[416] Kenneth Wooden, *Weeping in the Playtime of Others: America's Incarcerated Children*, 2nd ed., (Columbus, OH: Ohio State University Press, 2000 [1976]), 6. Chapter One, entitled "A Lawyer Versus the State of Texas," focuses on *Morales v. Turman*.

fight to win acceptance in the dormitory.[417] One might expect to find an adult staff that struggled to contain this practice and tolerated it only grudgingly. Instead, guards turned out to be willing overseers of all manner of ritualized fighting between inmates. After "about ten" fights, C.W. fled Gatesville but was recaptured two months later. He stayed at the Gatesville Reception Center, a temporary detention facility for boys awaiting placement in one of the seven "schools" that comprised the Gatesville campus. One day, without warning, C.W. and five other boys were put in handcuffs and leg irons, and herded onto a truck. Their destination was Mountain View, the facility built for "violent and serious offenders" but informally used as a form of punishment for boys who attempted to run away from Gatesville. Even Gatesville inmates dreaded the prospect of incarceration in Mountain View, which had a fearsome reputation.

Upon arrival, C.W. and his companions lined up against a concrete wall in a supervisor's office, while a group of guards loudly informed them of the rules. Next to C.W., a Latino boy raised his hand; he spoke almost no English and had not understood the rules. Not surprisingly, he also did not respond to an order to lower his hand. What happened next shocked and frightened C.W. The supervisor walked up to the boy and punched him several times while the others watched. C.W. was escorted to his dormitory, where once again he was a "fresh fish." Again a guard looked on as C.W. fought with a fellow inmate. But his initiation into Mountain View was only beginning. After halting the fight, the guard walked C.W. into a side room, ordered him to stand against a wall with his hands in his

[417] Testimony of "C.W.," 16-year-old former inmate at Mountain View and Gatesville Schools for Boys, 7/19/1973. Morales case files. C.W.'s testimony also receives brief mention in Judge Justice's final opinion, *Morales v. Turman*, 44.

pockets, and punched him several times in the stomach. The "racking," as this practice was known, was so pervasive that it came up in the testimony of every single Mountain View inmate. C.W.'s guard proved especially sadistic; the day after the "racking," he presided over a beating administered by eight boys that lasted over an hour and ended long after C.W. was unconscious. One boy who witnessed the incident recalled that the guard had intervened because he did not want "a dead fish on his hands."[418]

As one might expect, stomach-turning stories such as this one almost always drew attention to the staff. What right-thinking adult, wondered observers on all sides (including some members of the Youth Council's own defense team) could visit such horrors on adolescent boys, regardless of their offenses? How could trained professionals, including some with doctoral degrees in psychiatry and psychology, countenance such practices, which so obviously went against practically everything they had learned about "child mental health?" The answers begin, as they did in Massachusetts, in the area of political economy. The Youth Council had recruited a nearly all white staff from Gatesville and other small towns. For many guards, a job at Gatesville or Mountain View paid so little that it served only to supplement income earned elsewhere, either from a second job or a military pension. Several supervisors were "retired army people" from nearby Fort Hood.[419] Academic or professional training was the exception rather than the rule. For example, Mack O. Morris, the assistant superintendent of Mountain

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[418] Testimony of "H.", 15-year-old inmate at Mountain View, 7/19/1973. Morales case files. Judge Justice repeated this phrase in *Morales v. Turman*, 44.
[419] Deposition of Mack O. Morris, 11/14/1972. Morales case files.

View, held only a high school equivalency diploma. Like several of his employees, Morris had taken a few courses in corrections at Sam Houston State University, a growing center for the education of employees in the Texas prison system.[420] This curriculum choice betrayed the fact that much of the Youth Council staff, as well as their superiors, viewed their work through the lens of adult prison rather than juvenile rehabilitation. In any case, professional qualifications mattered little for career mobility. Dwain Place, a former accountant at Pan-American Petroleum Corporation, began pursuing a Master's degree in corrections long after he became the superintendent of Gatesville.[421] In 1957, his right-hand man Morris had landed his first Gatesville job as a cook. Within five years, he rose through the ranks of guard dormitory supervisor to become assistant superintendent.[422]

Morris' tenure was unusual; few workers stayed long enough to earn a promotion. Guards clearly found few satisfactions in their jobs. They received low pay, worked long hours, endured stressful situations that rarely got resolved in the space of a single shift, and probably enjoyed little in the way of social status outside the training school. These factors could have contributed to the guards' unforgivable actions. Their power over the boys may have afforded at least some guards a kind of horrible compensation; "poor white trash" on the outside, they became feared enforcers inside the training school. Few boys could

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[420] Deposition of George P. Pulliam, Chief Clinical Social Worker, Division of Child and Adolescent Psychiatry, University of Texas Medical Branch in Galveston, 5/22/1973. He questioned the applicability of corrections training for staff in a youth-serving facility, scornfully referring to such staff as "the so-called professionals" throughout.

[421] Deposition of Dwain Place, Assistant General Superintendent, Gatesville School for Boys, 11/16/1972. Morales case files.

[422] *Ibid*.

hope to stand up physically to the average guard, despite Youth Council director Turman's insistence that "any seventeen-year-old kid in Mountainview (sic)... with his bare hands can take any man there apart."[423] In one description that echoed countless others, a guard who stood over six feet tall and weighed about three hundred pounds attacked a boy less than half his size.[424] Guards also wielded symbolic power that derived in part from their black uniforms, cowboy hats, and cowboy boots, an ensemble that caught the attention of experts who visited Mountain View. "I found myself saying yes sir, and no, sir, and being very polite," recalled one visitor. "All I could see was the uniform."[425] Marking staff as prison guards rather than counselors or mentors, uniforms put the lie to job titles like "youth activities supervisor" and "house parent." One child psychiatrist noted that the Mountain View uniform could hardly promote rehabilitation in the institutional context when it so clearly signified "control and punishment" everywhere else.[426]

Physical abuse was part of a spectrum of punishments that enforced conformity to an unforgiving regimen clearly modeled on the military boot camp. Like today's juvenile boot camps, boys wore crew cuts and uniforms, marched in formation, and observed strict rules of conduct. Military practices sometimes appeared in exaggerated and grotesque forms. Rule breakers were assigned to work details conducted in enforced silence for several hours at a time. Unlike

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[423] Deposition of Dr. James A. Turman, Executive Director, Texas Youth Council, 5/1-5/2/1973. Morales case files.
[424] Testimony of "B.," 16-year-old inmate at Mountain View, 7/19/1973. Morales case files.
[425] Deposition of George P. Pulliam, 5/22/1973. Morales case files.
[426] Deposition of Dr. Leonard Lawrence, Professor of Child and Adolescent Psychiatry, University of Texas-San Antonio, 5/22/1973. Morales case files.

military work, or even prison labor, juvenile work details consisted of "make-work" tasks so designed for maximum punishment that they failed even to contribute to the upkeep of the institution or its grounds. Lacking any constructive purpose, the scheduling of duties thus followed no set pattern; boys were just as likely to "pull grass" one day as to shovel dirt pointlessly between two piles the next. The most notorious exercise was "picking." Boys in orange uniforms "lined up foot to foot, heads down... were required to strike the ground with heavy picks, swung overhead as the line moved forward."[427] Boys worked for hour and a half stretches; during fifteen-minute breaks, they sat "in a line with their heads between their legs, looking down; they were not allowed to look in either direction or to talk."[428] When FBI agents arrived to photograph the work detail, one boy remembered being ordered to "keep your head up, not down."[429] Uneducated they may have been, but the guards clearly made distinctions between practices that seemed to require concealment and those that did not.

They also proved quite adept at devising and enforcing an intricate set of regulations governing work details, many of which increased the likelihood of violations. On a regular basis, boys collapsed after several hours of swinging a pick, shoveling dirt, or pulling grass. C.W. testified that "at least ten times," he saw such boys taken to a supervisor's office, only to return with visible bruises and welts.[430] Sixteen-year-old T.A. recalled one time that he had bent his knees after several hours of pulling grass. For this "resting" violation, he was "racked"

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[427] *Morales v. Turman*., 64.
[428] *Ibid*., 65.
[429] Testimony of "D.," 17-year-old inmate at Mountain View, 7/19/1973. Morales case files.
[430] Testimony of "C.W."

by a guard supervisor who outweighed him by nearly two hundred pounds. His attacker then wrote out a bogus incident report and forced T.A. to sign it - another indication that guards knew what they were doing was illegal if not immoral.[431]

Although it represented a form of punishment, the work detail also served ideological purposes, and here we return to the question of how a well-educated officialdom that theoretically should have known better could permit the Mountain View regime. Youth Council officials viewed hard labor as essential to rehabilitation, and defended punishments for boys who could not or would not work. Deeply ingrained in daily life, hard labor had acquired meanings fluid enough to accommodate a variety of explanations. To guards, work detail made the time pass by quicker; "busy work [was] better... than doing nothing."[432] Officials restated this sentiment more bluntly. "Work is required," asserted Youth Council director Turman matter-of-factly; allowing some inmates to work less than others, he warned, would be "untenable in any correctional institution."[433] In this view, relieving boys who collapsed on the job would inspire others to feign exhaustion or illness; soon, no one would be working. The worst crime a boy could commit, refusal to work, brought out the harshest reprisals. Turman referred to this act as a "mutiny" that had to be crushed immediately to prevent a mass revolt.[434] Inmates who engaged in solitary strikes against the work detail were likely to be tear gassed. One supervisor admitted spraying Mace in a boy's face

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[431] Testimony of "T.A.," 16-year-old inmate at Mountain View, 7/19/1973. Morales case files.
[432] Deposition of George Pulliam.
[433] Deposition of James A. Turman.
[434] *Ibid*.

while two guards held him down.[435] In another case, a boy who attempted a peaceful sit-down protest in his cell was locked in with an activated can of Mace. Journalist Kenneth Wooden tracked down a former inmate nicknamed "Tweetybird" at an insane asylum; his body was covered in chemical burns caused by repeated gassings at close range. Privately, FBI agents told Wooden they were "astounded" that the Youth Council would approve the use of Mace on juveniles in a closet-sized isolation cell.[436] Only Turman defended the practice, citing training seminars for guards conducted by the Texas Department of Public Safety. On the witness stand, however, Turman stubbornly refused to confront the substance of such incidents:

> Q: Have you ever been tear gassed, Dr. Turman?
>
> A: Yes, sir.
>
> Q: Have you ever tried to work after you've been tear gassed?
>
> A: Yes, sir.
>
> Q: Were you able to work?
>
> A: Yes, sir.
>
> Q: Were you able to work five hours with a pick axe in the manner that I've described earlier, do you think?
>
> A: I didn't have to do a pick axe... but I had to work.
>
> Q: Was it pleasant?
>
> A: No.[437]

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[435] The admission appears in *Morales v. Turman*, 32.
[436] Wooden, *Weeping in the Playground of Others*, 13-14.
[437] Deposition of James A. Turman.

All tear gas incidents at Mountain View transpired in the separate housing for inmates on work detail – an isolation ward paradoxically named the Security Treatment Center (STC). The typical cell was eight-by-ten feet, and contained only an open toilet and a steel bed. The walls were painted black and lit only by a lamp that resembled a car headlight except that it remained lit at all hours. Air-conditioning was provided for guard stations but not cells, which reached sweltering temperatures during the long hot Texas summers.[438] Schoolbooks and visitors were prohibited.[439] The barren, uncomfortable cell that greeted a boy after five or six hours of grueling labor invited him to collapse in exhaustion. But he had to stay awake or suffer further punishment; rules prescribed that STC inmates remain awake, in total silence, until ten o'clock at night. This presented problems for the numerous inmates dosed with sleep-inducing drugs like Thorazine or barbiturates, many of whom fell asleep early and earned themselves more time in STC-work detail.[440] Asked for his view of STC, Turman observed tartly that it "[was] not a place for people to loaf."[441]

It was, however, an easy place to gain entry. Among the transgressions that landed boys in STC: "gambling for candy," "writing love letters to a lady academic teacher," "throwing a bar of soap at a boy," "laughing in church," and "calling Mr. Morris a rat."[442] Asked to explain such a wide range of infractions, many of which seemed minor, Turman offered only anecdotes of extreme

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[438] Testimony of "B."
[439] *Morales v. Turman*, 63-64.
[440] *Ibid*.; also discussed in Testimony of "D."
[441] Deposition of James A. Turman.
[442] *Ibid*.; a summary list appears in *Morales v. Turman*, 62.

behavior that did not match up with any of the violations documented in the Mountain View files.[443] Although he claimed to have spoken with STC inmates "every few days," it was clear that Turman had no inkling of what had transpired on his watch. Not once did he refer to a printed manual or handbook, because none existed. Over the years, the Youth Council board had added rules and regulations piecemeal, compiling them in a massive volume of handwritten notes that Turman called "the minutes." Judge Justice pored over these notes but found nothing of value, concluding that the Youth Council suffered from "the very evident absence of any central leadership, direction, or planning."[444]

The process by which inmates got out of STC highlighted the illusion of orderly procedure that had sustained Turman's regime. Some inmates languished for weeks and months in cells ostensibly intended for, at most, a few days' stay. Twice a week, a discipline committee composed of school officials considered individual cases in meetings that were brief and perfunctory. Neither caseworkers nor the boys themselves participated in these deliberations. Inmates appeared just long enough to learn the committee's final decision and received no explanation of how it was reached. They were not permitted to address the committee, an almost needless rule given the perverse ritual that preceded inmates' appearance at a hearing. Inmates ran barefoot from their cell to the meeting room, chased by a guard who "racked" those who ran too slowly.[445] Small wonder that inmate witnesses in court could not identify rules of conduct or paths to being declared

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[443] Deposition of James A. Turman.
[444] *Ibid*., 13-16.
[445] *Morales v. Turman*, 65-66.

"rehabilitated" by their captors. Upon entering Gatesville, fifteen-year-old M. learned from fellow inmates to "just go along, keep your mouth shut, and listen." These precepts helped M. survive daily life, though he "hadn't figured out" how to make parole.[446]

It was clear that the line between rehabilitation and punishment, if it ever truly existed, had blurred beyond recognition in both theory and practice. One thing that James Turman, the director of the Texas Youth Council, shared with juvenile inmates was a seeming inability to offer a clear criterion for what constituted rehabilitation. Expert witnesses were certain, however, that it could not be found at Mountain View. Jerome Miller declared it "the most brutal disciplinary unit" he had ever seen.[447] Prison expert Howard Ohmart, in the midst of a federally sponsored study that would portray Louisiana's Angola State Prison as the most brutal in the nation, visited Mountain View on behalf of the Justice Department. In a devastating statement, he pronounced Mountain View as worse than Angola. "Never have I seen a facility more deliberately designed to humiliate, to degrade and debase," he concluded.[448]

At one point during James Turman's deposition, Steven Bercu paused to marvel at the thoroughness with which Mountain View eradicated the individual's "privilege of deciding for himself."[449] This observation highlighted how understandings of adolescence had changed since World War II. In the early

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[446] Testimony of "M.," 15-year-old inmate, Gatesville School for Boys, 7/5/1973. Morales case files.
[447] Deposition of Jerome Miller.
[448] *Morales v. Turman*, 203-205. See also Wooden, *Weeping*, 13.
[449] Deposition of James A. Turman.

postwar era, even among psychiatrists and psychologists, the talk about teenagers was of "adjustment." Identity formation theory, a product of ego psychiatry, emphasized the reconciliation of internal desires with cultural norms. By the late 1960s, however, a new definition emerged that was both more individualistic and more attuned to racial, ethnic, gender, sexual, and "cultural" identities. The central task of adolescence no longer revolved around "adjustment" to existing social norms. Multifaceted categories of selfhood began to co-exist within the universal experience of coming of age; the real conflict became that of confronting rather than conforming to cultural attitudes. Traditional prejudices now posed a threat to a "healthy" adolescence, as underscored in the Texas Youth Council's training schools, where diagnoses of "disorders" often became self-fulfilling prophecies.

III. The "Control" System and the Construction of Deviance

One of the ways in which the state's training schools most resembled its prisons was in the use of what corrections experts called the "control model." The Youth Council emulated the version of "control" practiced in the Texas prison system, which was among the largest in the nation. George Beto, the head of the Texas Department of Corrections, had earned a reputation as a sort of corrections guru for his refinement of the control model, which relied on strict regimentation of daily life enforced in part by some of the inmates themselves. Functioning as deputies to the guards, these "building tenders" enjoyed special privileges in exchange for their services. In the late 1960s and early 1970s, when prison riots in New York and California made headlines, the Texas prisons seemed like models

of efficiency and order. Years later, this image would be shattered by a prisoners' rights case, *Ruiz v. Estelle*, that exposed abuses similar to those uncovered in the juvenile training schools. Nevertheless, scholars have continued to debate the merits of the control model. Its most vocal defender, criminologist John J. DiIulio, viewed the era of the control model as a veritable "golden age" when prisoners suffered little physical abuse, benefited from strict regimentation, and learned skills that lowered recidivism. Other observers disagreed, arguing that the use of building tenders helped conceal a host of abuses even as it more efficiently delivered physical punishment to disobedient inmates.[450]

The counterpart to the building tender in the juvenile training school was the "office boy," who functioned in almost precisely the same way. The resemblance was no accident; according to one study of Texas prisons, "some of these same 'office boys' would go on to become building tenders."[451] They supervised work details, administered punishments, doled out privileges, and occasionally even performed more official duties such as writing incident reports. Inmates feared office boys almost as much as the guards. Any inmate who chose to speak with attorneys or visiting experts risked vengeance from the office boys, who were on the lookout for "snitches." Even Steve Bercu once found himself cornered in a Mountain View bathroom by three large boys who were clearly acting on orders from adult staff.[452]

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[450] John J. DiIulio ed., *No Escape: The Future of American Corrections* (New York: Basic Books, 1991). See also James Q. Wilson, Alan Fox.
[451] Martin and Ekland-Olson, *Texas Prisons*, 91.
[452] Author interview with Bercu.

Attempts to enforce a code of silence during the court case revealed a secondary role for the office boys as the rulers of an inmate caste system based partly on race. Shortly after a visit from child psychiatrist Leonard Lawrence in March 1973, over one hundred boys were involved in what inmates later described as a "gang fight" between blacks and whites. Although interracial fighting was common, this incident seemed different.[453] According to J.H., the fighting began when a "tall white boy" sucker-punched a black inmate for no apparent reason. Afterwards, office boys wrote incident reports that penalized black inmates.[454] The fight was just the tip of the proverbial iceberg. Office boys often supervised work details without adults present, an opportunity that they used to inflict pain upon black inmates; they " kick[ed] them and beat them just like the men."[455] Adult guards sanctioned and protected this behavior. One day Jimmy Lee Jones, a gym instructor at Mountain View, complained to his superiors that he had witnessed office boys beating black inmates outside his office window. He was told to "find another job" if he disapproved of what he had seen. Jones was a rarity among the Mountain View staff. He was younger than most teachers, and he was African American. Moreover, Jones actually brought proper credentials to the job for which he was hired. He held a bachelor's degree in physical education, had worked with boys at a YMCA youth center in Houston, and had served a tour of duty in Vietnam.[456]

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[453] Testimony of "C.W."
[454] Testimony of "J.H.," 17-year-old inmate at Mountain View, 7/19-7/20/1973. Morales case files.
[455] Testimony of "T.A."
[456] Morales v. Turman, 80-81. Testimony of Jimmy Lee Jones, 7/20/73. Morales case files.

The office boys operated within an institutional subculture that made the training school into a conduit between the state's urban neighborhoods and its prisons. In 1969, the Texas Senate had warned of a "highly sophisticated... contraculture" that reached "far beyond the confines of the training schools into the urban communities and even, reportedly, into the Texas Department of Corrections." [457] The notion of a contraculture drew upon older theories of a "delinquent subculture" or, more recently, the "culture of poverty." It ascribed self-defeating behaviors and deviant values to a marginalized social group – juvenile inmates – who themselves came from the lowest rungs of American society. An oft-cited example of the delinquent subculture was the "counting system," in which those who "counted" belonged to and enjoyed the protection of inmate gangs. Membership brought benefits, but it also placed inmates in "abrasive and irreconcilable situations." For instance, "a boy who is about ready to be recommended for parole and who is a 'counter' is subjected to almost unbearable pressures in efforts to induce him to 'mess up' ... his opportunity for favorable parole consideration."[458] In this view, the inmate subculture prevented rehabilitation and glorified crime; if inmates would only cooperate with the program, order and salvation would follow. Adult staff expressed hopelessness about the situation: "One caseworker said he had once discouraged boys from trying to 'count' but no longer did so because he felt it met a need for some of them."[459] This statement psychologized tangible benefits as emotional "needs"

[457] *Services to Youth in Texas*, 98-99.
[458] *Ibid*.
[459] *Ibid*.

and rationalized away the role of adult guards in perpetuating the gang system. They granted sweeping powers, allowing favored inmates to function with, if anything, more impunity than a street gang. Whether they had been a response or a spur to existing inmate gangs, the office boys clearly controlled "turf" and made organization for self-protection a necessity for their fellow inmates.

An unofficial sexual classification system organized inmates in more insidious and damaging ways. Guards were charged with the responsibility of separating "punks" from the general inmate population. Starting in the early twentieth century, the word "punk" has carried several meanings, according to prisoner-turned-historian Stephen Donaldson. In prison usage, it has referred to "a young, usually smaller and heterosexual, male who is exploited as a female surrogate by older, tougher, more powerful... males, or 'jockers.'" Outside the prison, a "punk" was also "a juvenile delinquent, a young outlaw, a young hoodlum" – precisely the kind of person who "ended up in jails and as the youngest were particular targets for 'turning out.'"[460] To be a "punk," then, was to occupy the lowest rung of a social structure defined by physical size, strength, and experience in "personal combat." Most "punks" were first-time offenders convicted for "nonviolent or victimless" crimes who lacked the necessary attributes to survive without suffering rape. According to Donaldson, "juvenile institutions" have contained a "high proportion" of "punks," who have been

[460] Stephen Donaldson, "Punk," Wayne R. Dynes ed., *Encyclopedia of Homosexuality*, (2 vols., New York: Garland Publishers, 1990), vol. 2, pp. 1085-86. In 1972, after being jailed for trespassing on White House property during an antiwar protest, Donaldson (known in prison as "Donny the Punk") was raped sixty times in two days. Imprisoned again in the early 1980s, he contracted AIDS from being raped. Now deceased, Donaldson was a former leader for Stop Prisoner Rape, an organization that has advocated on behalf of prisoners since 1980. See "Stop Prisoner Rape: A Brief History," <http://www.spr.org/>.

misunderstood completely by adult officials. They were almost always unwilling victims in a drama of masculine power that often expressed ethnic or racial dominance as well. When "punks" succumbed to sexual assault and became the property of a "daddy" or "jocker," officials viewed this "survival driven" behavior as willing consent and interpreted the rapist as an "aggressive homosexual" rather than a heterosexual confined to a place without women.[461]

Virtually all of the practices described by Donaldson surfaced during courtroom scrutiny of the boys' training schools. Two "punk dorms" housed not only all the allegedly "homosexual" inmates at Mountain View, but also boys sent over by Gatesville staff. This practice was hardly a secret; the Fort Worth Star-Telegram had reported it shortly before the start of *Morales v. Turman*.[462] Moreover, as Donaldson has observed, "jailhouse sexuality" usually operated openly, with full knowledge of guards, despite being forbidden by disciplinary codes.[463] In fact, at Mountain View, guards exercised hands-on control over it, although they did so informally and without recourse to any written policy. They placed "aggressive" and "passive" homosexuals in separate dormitories. A closer look showed that all of the "aggressive homosexuals" were "larger, stronger" black inmates, while their "passive" partners were "smaller" Anglo and Latino inmates. Youth Council director Turman defended this pattern by citing "cultural" differences in the expression of what he called "homosexual tendencies." They

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[461] Stephen "Donny" Donaldson, "A Million Jockers, Queens, and Punks," Don Sabo, Terry A. Kupers, and Willie London eds., *Prison Masculinities* (Philadelphia, PA: Temple University Press, 2001), 118-126.
[462] "Being a 'Punk' No Fun at Mountain View," *Fort Worth Star-Telegram*, 1/28/69, p.1.
[463] Donaldson, "A Million Jockers," 124.

had to be separated from one another as well as the general inmate population, he asserted, to protect against their "strange form of jealousy." [464] Asked to identify the defining features of sexual "deviance," Turman mumbled vaguely about "aberrant behavior" with "symptoms."[465] The guards restated Turman's views more bluntly. "You can tell if they look like a queer," one guard told an incredulous Miller during his visit.[466] Austin McCormick, one of the few experts to defend the Youth Council, expressed his wish to "straighten out a few of them, except that nowadays nobody wants to be straightened out. They want to be accepted as homosexuals."[467]

McCormick's comment raised a secondary question: Was homosexuality a legitimate identity choice during adolescence? The issue recently had divided the membership of the American Psychiatric Association (APA), which was considering the removal of homosexuality from the list of mental disorders published in its *Diagnostic and Statistical Manual of Psychiatric Disorders* (DSM).[468] The previous year, in nearby Dallas, the APA annual meeting took the controversial step of inviting gay rights activists to speak on the subject.[469] Around the same time, the APA joined the *Morales* case on the side of the juvenile inmates. This stance put the APA at odds with a longtime member of its state and national chapters, Youth Council director Turman. It also suggested a

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[464] Deposition of James A. Turman.
[465] *Ibid*.
[466] Deposition of Jerome Miller.
[467] Deposition of Austin H. McCormick.
[468] Ronald Bayer, *Homosexuality and American Psychiatry: The Politics of Diagnosis* (New York: Basic Books, 1981), 147-148.
[469] *Ibid*., 107-111.

rejection of the argument, advanced by many older APA members, that the DSM deletion would "encourage" homosexuality in teenagers. Some clinicians complained that they could not steer "sexually confused" adolescents toward a normative heterosexuality unless homosexuality remained a disorder.[470] Apart from its deconstruction of the meanings of sexuality in a total institution, then, *Morales v. Turman* also participated in the era's debate over gay rights and identity.

A nebulous term in psychiatric clinics, "sexual confusion" described an even broader range of behaviors in a setting such as Mountain View. It included activities that have come to typify the everyday lives of teenage boys: masturbating, talking about sex, or comparing penis sizes. The backwardness of diagnosing these as "homosexual" would be funny had it not brought such severe consequences. "Deviant" boys usually were medicated and separated from the rest of the inmate population. Some ended up in a "punk dorm;" others found themselves placed in the isolation ward, which meant days spent on the grueling work detail.

This dynamic of superficial diagnosis and physical separation also took place, to a lesser degree, at the girls' training schools. Gainesville staff harassed girls who held hands, combed each other's hair, or simply spent too much time together. One girl, G.G., had acquired the nickname "Love Business" among

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[470] *Ibid*. Prior to the APA's change of opinion, treatment of adolescent sexuality was guided by studies such as Irving Bieber et al., *Homosexuality: A Psychoanalytic Study of Male Homosexuals* (New York: Basic Books, 1962), which purported to "cure" some of its subjects. Bieber was on the losing side of the APA decision on homosexuality, but went on to inspire the National Association for Research and Therapy of Homosexuality (NARTH), an organization of mental health professionals who continue to insist that homosexuality is a curable and damaging disorder. <http://www.narth.com>.

staff. Her caseworker had explained that "being a homosexual means you are no longer concerned about boys. You're always concerned about girls."[471] Another girl, M., remembered a "house mother" who warned her about "lesbian initiations" when she first arrived at Gainesville. No such thing ever took place.[472] Scenes like "two girls walking down the hall with their arms around each other" were enough to send staff into a panic.[473] At both the Gainesville and Crockett girls' schools, the staff used a system of rules and rewards to discourage any "queer" behavior. For example, the enactment of a dress code that allowed girls to wear their own clothing rather than uniforms permitted only fashions and hairstyles that "looked feminine."[474]

Inmates recalled the awkward and painful feelings that came with being labeled "homosexual." G.G., for one, found it "hard to make friends or have emotions" without needling from staff about "being an L.B."[475] For boys, a "homosexual" diagnosis might come before or after a sexual assault; regardless, it signified physical weakness and emasculation as much as a supposed preference for other boys. To be designated a "punk," remembered C.W., was to be told that "you were small and everyone could run over you."[476] C.W. lived in the "punk dorm" reserved for "passive homosexuals," all of whom were "smaller boys" but not self-identified homosexuals. The African American inmates who lived in the

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[471] Testimony of "G.G."
[472] Testimony of "M."
[473] Testimony of Thomas J. Riddle.
[474] Deposition of Ernest Leonard Sharp, Chief of Social Services, Crockett School for Girls, 11/27/72. Morales case files.
[475] Testimony of "G.G."
[476] Testimony of "C.W."

other "punk dorm" objected even more strenuously to their official diagnosis. One of them, J. H., insisted that he was a "dude" rather than a "punk." To draw the distinction clearly, he mentioned "Slut," a smaller boy to whom he attached the pronouns "her" and "she."[477] The diagnosis had little to do with actual sexuality and everything to do with the ability to protect oneself in Mountain View.

Adolescents so well versed in the sexual language of the prison presented expert witnesses with textbook examples of the emotional damage wrought by the training school. Too often, they argued, the "homosexual" tag became a self-fulfilling prophecy. Boys placed in Mountain View's "punk dorms" inexorably "succumb[ed] to the defined situation," and in so doing internalized an identity as a "sexual deviant."[478] At Gainesville, "staff fear of homosexuality [made] it an attractive form of rebellion," giving rise to "an 'underground culture' with a special jargon and ritual."[479] Youth Council staff misunderstood and distorted expressions of the sexual curiosity that typified adolescence, according to child psychiatrist Leonard Lawrence, who ran a residential clinic for children and adolescents in San Antonio. Bans on even the most innocuous behaviors taught that "thinking about sex" made one "a bad person," a lesson that took on added meaning in an environment where "legitimate decisions [about] sexual preference" were impossible. Some inmates were victimized twice – first by sexual assault, and again by the guilt feelings that arose from being stigmatized as a "deviant." In the guise of preventing sexual deviance, adult staff nurtured

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[477] Testimony of "J.H."
[478] Deposition of Jerome Miller.
[479] *Morales v. Turman*, 132.

"negative identity formation," with inmates believing that they were irredeemably strange.[480] Lawrence added that many "normal" boys had experimented sexually with male and female partners, a claim known to psychiatrists, and indeed most Americans (however much they may have disagreed), since the time of Alfred Kinsey's famous reports on male and female sexual behavior. Opposed to this possibility, Youth Council director Turman insisted that youthful sexual experimentation occurred only in "preadolescent puberty" – a bizarre invention, given that the onset of puberty usually marked the beginning of the developmental stage of adolescence.[481]

Perhaps the most arresting example of the Youth Council's refusal to acknowledge adolescent sexuality came in the sex education program offered to girl inmates at Gainesville. Psychiatrist Gerda Hansen Smith, who had visited Gainesville as part of the court-ordered participant-observation team, pronounced the class "a sham" that substituted old-time moral absolutism for sound reproductive information. Classes consisted of an instructor who nervously "just kind of read a few newspapers" aloud. When a new girl described how she had engaged in unprotected sex and worried that she might be pregnant, the teacher turned knowingly to Smith and muttered about "the new permissiveness."[482] Another girl told Smith that she was unable to discuss sexual problems with her caseworker without being exhorted to "put [her] faith in God." Shortly after that confession, Smith began to notice that Christianity played an inordinate role in the

[480] Testimony of Dr. Leonard Lawrence, 7/23/1973. Morales case files.
[481] Deposition of James A. Turman. It is possible that he believed that juvenile delinquents were abnormal in that they experienced sexual feelings before "normal" adolescents did.
[482] Deposition of Gerda Hansen Smith.

school's program. She met several caseworkers who "only wanted to talk about religion..., the love of the Christian life, and Christian attitudes."[483] Girls were required to attend Sunday church, which for many of them constituted the only outdoor activity of the weekend.[484]

Oddly enough, this religious climate was home to especially poor treatment of girls who entered training school pregnant. Inmates approaching their due date were furloughed in time for childbirth but returned within the month. This policy separated young mothers from their infant children for periods that could last as long as two years. Girls whose families could not or would not help them found themselves in an untenable position; some considered putting their newborns up for adoption. Youth Council officials expressed little remorse over this situation; Austin McCormick blamed the girls' "stupid and ignorant" families.[485] Lending a eugenicist cast to such statements were stories of abortions induced through either the incompetence or connivance of Gainesville staff. The evidence, though inconclusive, strongly suggested that induced abortions were an informal but regular practice at Gainesville. Three girls testified that they miscarried after the school nurse coerced them into ingesting unidentified white pills.[486] Other girls corroborated these claims; Gainesville's use of the procedure was "common knowledge" even in the home communities of parolees.[487] G.A.,

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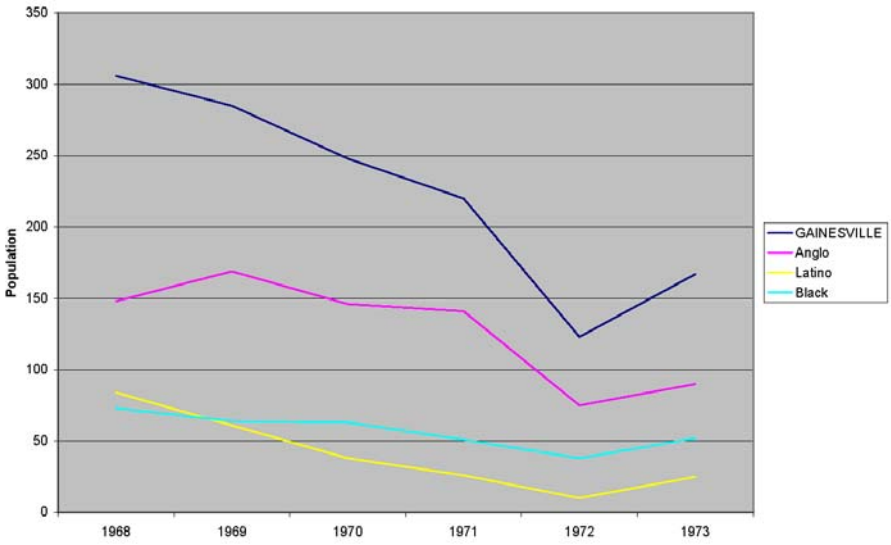
[483] *Ibid*.
[484] *Ibid*.
[485] Deposition of Austin H. McCormick.
[486] Testimony of "T.", 17-year-old inmate at Gainesville, 7/11/73. Testimony of "G.", 17-year-old inmate at Gainesville, 7/11/73. Testimony of "G.A.", 7/11/73. Morales case files.
[487] "M." stated that she was "stunned" upon arrival to learn about the pills. Although they were "common knowledge" among the girls, an unspoken rule forbade speaking with adults about them.

who was four months' pregnant, took "ten white pills" under the threat of solitary confinement. She began to bleed four days later, in a cruel irony, while languishing in "pregnancy class," and finally miscarried that evening. Although allowed to recuperate in the Gainesville clinic for two weeks, G.A. saw no doctor until a month after the miscarriage. Staff faithfully foiled G.A.'s attempts to notify the fetus' biological father. Her house mother confiscated G.A.'s mail and placed it in her official file, informing her that she was "entitled to [her] opinion." Only because a caseworker took the initiative to summon G.A.'s mother did Judge Justice hear a believable eyewitness account of the episode; he seems to have discarded similar stories for lack of evidence, though transcripts show that he found them persuasive.[488] His final opinion gave no mention of the pills, noting only that G.A., like other pregnant inmates, had received "inadequate" medical attention.[489]

[488] Testimony of "G.A."
[489] *Morales v. Turman*, 138.

Table 2: Gainesville Inmates by Race and Ethnicity, 1968-1974

Source: *Annual Reports of the Texas Youth Council, 1969-1974*. Courtesy of the Texas State Archives and Information Service.



As the pregnancy issue suggests, Gainesville housed the older, "more sophisticated" female offenders, many of whom were black or Latino (see figure 1).[490] Inmates of color were subject to all manner of daily indignities, from the casual use of racial epithets to the prohibition of the Spanish language. White girls received special privileges that brought them into more frequent contact with staff, who felt comfortable enough to vent their racial hostilities in what they assumed was friendly company. One such girl, M., recalled hearing daily complaints about black inmates who "got on their nerves."[491] White inmates who

[490] Deposition of Robert Chilton, Chief of Casework Services, Gainesville School for Girls, 11/20/1972. Morales case files.
[491] Testimony of "M.", 17-year-old inmate, Gainesville School for Girls, 7/11/1973. Morales case files.

befriended blacks might be directed to "act like a white girl."[492] At the same time, staff closely monitored black inmates who acted "too black," a phrase that referred to cultural or political expressions that might lead to individual or collective rebellions. Black girls who entered Gainesville wearing an Afro or plaited hair (cornrows) were "encouraged" to cut or straighten their hair.[493] A directive from the Gainesville superintendent prohibited the circulation of Black Panther literature; staff were ordered to take "preventive measures" against any "advocation (sic) of black power or Chicano power."[494] One such measure prevented black girls from sitting together during meals in groups larger than two, even though the cafeteria tables only seated four.[495]

G.G. complained frequently enough about these practices to be labeled a "troublemaker." In return, her "house mother" prevented visits from her actual mother, whom she called "an unfit bitch." When Youth Council consultant Austin McCormick visited Gainesville, G.G. informed him of her troubles; his only response was to call her "a damn liar."[496] G.G. reserved her deepest bitterness, however, for the four older African Americans who worked at Gainesville in the positions of caseworker, recreational supervisor, and house parent. In court, G.G. explained why they were no better than their white counterparts:

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[492] Testimony of "G.G.", 16-year-old inmate, Gainesville School for Girls, 7/11/1973. Morales case files.
[493] *Ibid*. Deposition of Thomas J. Riddle, Superintendent, Gainesville School for Girls, 11/20/72. Morales case files.
[494] *Ibid*.
[495] *Ibid*.
[496] Testimony of "G.G."

Q: Would you feel better if there were more black staff at Gainesville?

A: Yeah, if they act black.

Q: Would you feel better if there were more black house parents?
A: Same goes for them. If they act black.

THE COURT (interjecting): Maybe you can explain to me what you mean by that.

WITNESS: Well, they think they're better than us black girls. They think they are so high up.[497]

The divide was both generational and regional; the fact of shared skin color could not overcome barriers of experience. Older, rural blacks were almost as likely as their white co-workers to overreact to black teenagers from large and mid-sized cities who were assertive and listened to "loud music."[498] The superintendent of the Crockett School for Girls, Pete Harrell, was a case in point. Until 1965, Crockett had served as the Jim Crow school for black girls, and Harrell had been the lone black official of any stature in the Youth Council hierarchy. During his court testimony, he warned of a "more sophisticated, more destructive, and more vicious" generation of juvenile delinquents.[499] But a glance at the statistics on offenses in the early 1970s showed that violent crime was the exception rather than the rule for juveniles. While only five percent of boy inmates were violent offenders, over sixty percent of girls were committed for "disobedience" to parents or school officials.[500] Surprisingly for a time when many American parents were fuming at the rise in drug use among teenagers, the

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[497] *Ibid*.
[498] Deposition of Robert Chilton.
[499] Deposition of Pete Harrell, Superintendent, Crockett School for Girls, 11/27/1972.
[500] These figures are fairly consistent in the 1971, 1972, and 1973 *Annual Reports of the Texas Youth Council*.

Youth Council kept no figures on drug-related arrests. However, one can speculate that many adolescent girls who found themselves in a training school in the early 1970s were charged with "cultural" offenses – precocious sexuality, drug experimentation, nonconformity in dress or music taste, or simply a more pronounced rebellious attitude toward adults. Arriving at a place like Gainesville, such girls likely confronted a staff that, if anything, seemed even more out of touch with their problems than their own parents and teachers had been on the outside.

Gainesville employees who could not speak the language of youth cultures proved even less adept at communicating with Spanish-speaking inmates, who comprised between one-fourth to one-third of the inmate population (see figure 1). In fact, they did not have to try. A longstanding English-only policy covered every conceivable interaction between inmates and workers. In court, the Gainesville superintendent defended this policy as an educational tool to promote English language facility; in practice, it was all too clear that the ban's function was to prevent Mexican American inmates from secretly mocking staff, conspiring to commit mischief, or holding any kind of truly private conversation.[501] Girls caught speaking Spanish were subject to disciplinary action. Gainesville's discipline records for 1969-1973, which were turned over to the court, suggested that the ban provided endless opportunities for punishment. At the same time, individual offenses were so routine-sounding that one suspects the ban proved unenforceable at times. Entries for one girl included offenses such as

[501] Deposition of Thomas J. Riddle.

"called me a *puta* & then denied it," "talking in Spanish, dirty talk," and "sassy & impudent." This particular girl was placed in isolation several times, without any specific reason, suggesting that it was a last resort for exasperated workers.[502] Another girl, cited five times in two weeks for speaking Spanish, received after school detention and had her smoking privileges revoked. Only when she was caught "lying about" speaking Spanish was she placed in isolation.[503]

Again, it is important to underscore that the staff's shortcomings merely reflected those of their lettered superiors. William M. Lovejoy, a psychiatrist employed part-time at Gainesville, admitted that he long had struggled in one-on-one sessions with Mexican American girls because he could not speak Spanish. His only exposure to the language came from Spanish instructional cassettes played during weekly drives between his Dallas psychiatric clinic and Gainesville.[504] For the professionals, the language barrier was only the most visible aspect of a larger cultural gulf separating them from the adolescents they purported to help. Lovejoy, an elderly psychiatrist trained in the 1930s, seemed well intentioned but incapable of relating to girl inmates of color. His assurances that he understood "black dialect" and "poor ghetto families," as well as "Mexican American culture," rang hollow.[505] Similarly, Austin McCormick had a "hard time relating to Chicanos... [and] Blacks;" he further conceded that he could

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[502] Gainesville discipline reports on girls speaking Spanish, 1969-1973. Morales case files.
[503] *Ibid*.
[504] Testimony of William M. Lovejoy, 7/31-8/1/1973. Morales case files.
[505] *Ibid*.

only "guess" at their treatment, a statement that seemed to severely undercut his ringing praise for the Texas training schools throughout the preceding decade.[506]

Youth Council officials all but admitted that they were unable or unwilling to take seriously the variety of identities that juvenile delinquents brought into the training schools. They presided over institutions that cast some boys as "punks," most girls as lesbians, and teenagers of color as inherently inferior. Even "normal" white inmates received a severely restricted brand of education. Girls learned to cook, clean, and care for the babies of working-class men, even as they were denied information about their own reproductive systems. For boys, the Texas prison system cast a huge shadow over every aspect of their experiences. Most of the worst features of adult prison appeared in some form in Gatesville and Mountain View: military regimentation, hard labor, inmate rape, racially motivated gang violence, and extended solitary confinement. At Gainesville, girls learned what they likely already knew, that their life choices were extremely limited and tethered to a man. The boys received a harsher education seemingly intent on making them into inmates rather than citizens, a process made all the more offensive by the lack of remorse shown by those who administered and benefited from it. Founded on the principles of "child mental health," and steered by experts trained in psychiatry, psychology, and social work, the Texas Youth Council somehow had gone terribly awry. In fact, the Youth Council's failures to live up to its own therapeutic precepts had brought about its downfall.

[506] Deposition of Austin McCormick.

Conclusion: From "Adjustment" to "Identity"

By August 1974, when Judge Justice issued his final opinion, the case against the Youth Council had become ironclad. The previous September, Gatesville staff had permitted an inmate riot with the obvious complicity, if not the direction, of top Youth Council officials. Soon after, several key officials resigned, including longtime director James Aubrey Turman. They saw the writing on the wall; the case would not be decided in a way that would allow the old regime to continue. The "boring regularity" of training school scandals finally had caught up with the Texas Youth Council.[507]

Judge Justice's opinion drew significantly upon recent scientific theories of adolescent identity formation; he decried not only the "physical" but also the "psychological" damage inflicted upon juvenile inmates. "An adolescent must have a sense of identity," he declared. "Many delinquents... have a distorted sense of identity; they feel that they are bad – the outcasts and rejects of the community. The acquisition of a positive self-image is thus one of the primary tasks of adolescence."[508] On its face, this statement did not depart significantly from the Youth Council's original mission. What had changed was the inclusion of behaviors and identity choices that formerly had been viewed as illegitimate. The boundaries of social norms to which a given adolescent had to "adjust" had expanded, and in that sense "adjustment" remained an important component of rehabilitation. However, it had become less other-directed, less bound to

[507] Molly Ivins, "Reforming the Reform School," *Texas Observer*, October 5, 1973.
[508] *Morales v. Turman*, 383 F. Supp. 53; 1974 U.S. Dist. (August 30, 1974), 127-28.

dominant cultural traditions, and more tied to individual self-realization. In his view, the individual delinquent had a right to genuine treatment and rehabilitation.

The decision inaugurated sweeping changes, most notably the closing of Mountain View (1975) and Gatesville (1979). To Judge Justice, "evil" was so ingrained in the very walls of the institutions that they could never be reformed. This opinion stemmed not only from expert testimony but from the judge's first-hand observations of Mountain View, which he had seen "with the eyes of Jerome Miller," whose impact on the case was decisive.[509] Judge Justice ordered the Youth Council to move toward smaller, community-based facilities located in the urban areas that most delinquents called home. Staff hirings were to be based upon professional training, psychological testing, and racial and ethnic diversity. Institutions that long had functioned according to separate and inconsistent rules were to share well-delineated guidelines for diagnosis, treatment, and parole. The court abolished corporal punishment, tear gassing, and stoop labor; it also restricted solitary confinement to days rather than weeks, and specified the few situations where it was appropriate. Ron Jackson, who replaced Turman as Youth Council director in 1974, enacted almost all of these changes over the next several years. So complete was the transformation that by 1988, according to most measures, the Texas juvenile system had become one of the best in the nation.[510]

Other reforms occurred around the time of the *Morales* decision in 1974, suggesting that it had helped spur action at both the state and national levels. The

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[509] Author interview with Bercu.
[510] For a detailed accounting of the settlement, see Reddington, "In the Best Interests of the Child," 84-130.

state legislature passed the Texas Family Code, which set forth guidelines for the treatment of adolescents in courts, training schools, and other custodial facilities. The U.S. Congress created a new agency, the Office of Juvenile Justice and Delinquency Prevention (OJJDP), to oversee the dizzying number of public and private programs across the nation. For troubled teenagers who were not serious offenders, the case would have a more immediate legacy. "For decades," recalled Steve Bercu, "thousands and thousands of kids... didn't get shipped to these places that would have under the prior regime."[511] An era of adult punishments for juvenile delinquents seemed to have come to a merciful end. The word "teenager," and the social privileges that it implied, were to include adolescents unfortunate enough to have been born poor, black, or Latino. As we shall see, however, something quite different happened in subsequent years.

[511] Author interview with Bercu.

Chapter 6: *Reclaiming Adolescence: Kids in Court Today*

May 5, 2003, was a typical morning at the Travis County Juvenile Justice Center in south central Austin, Texas.[512] In the noisy reception room, guards waved visitors through a metal detector, while attorneys advised nervous parents and quiet, intense looking teenagers about their pending cases. Some of them began filing into the main courtroom, a spacious chamber with a high, domed ceiling, and a large picture window that framed the judge's bench. Off to one side, where one might expect a jury to sit in a criminal court, social workers led a few teenagers dressed in orange uniforms to their seats. A well-dressed, young public defender walked around the chamber, chatting up several of the kids and their families. He gave words of encouragement to one glum-looking girl whose parents "didn't show up – again," then exchanged elaborate "street" handshakes with three uniformed African American boys. His gestures were echoed by virtually all of the adult staff workers present for these tense minutes before the opening of the day's proceedings. The atmosphere gave off a powerful feeling of compassionate concern; the trained professionals as well as the lawyers clearly cared about these teenagers and wanted the best possible outcome for them, which usually meant keeping them out of a state training school facility.

The tone became more formal, although no less reassuring, when Judge Benesch entered and began to hear cases. Tall, blonde, and bespectacled, she conveyed a distinct air of maternal interest, even as she breezed through cases at

[512] Unless otherwise noted, the following description is based on my observation of the Travis County Juvenile Court on May 5, 2003.

an average speed of fifteen minutes apiece. The scene seemed little changed from a century ago, when nationally known judges such as Ben Lindsey of Denver and Mary Barthelme of Chicago had popularized the idea of a separate "kid's court."[513] Like her Progressive-era predecessors, Judge Benesch had prepared for the day's cases by reading lengthy "social histories," psychological profiles, and records of prior offenses. These documents helped her engage young defendants in informal, unrehearsed conversations that varied in tone. She shared a laugh with a twelve-year-old Mexican American girl who had completed a sentence of community service, and issued a stern warning to an African American boy who had missed anger management classes stipulated in his parole. Some cases required the judge to intervene in bitter disputes between parents and their adolescent children. Consider, for instance, the case of a pregnant fourteen-year-old Latina who was on home probation for a minor drug charge. Her parents refused to allow the baby's father in their home, and so the girl had violated probation to see him. Clearly rural, working-class, and overwhelmed by the situation, the parents asked that their daughter, who looked tough and streetwise, be committed to a state facility for delinquents. The girl's attorney countered that her family lacked "proper parenting skills." This scene, too, was eerily reminiscent of the not so distant past, when immigrant parents often used the

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[513] For a discussion of Ben Lindsey and other turn-of-the-century "kid's judges," see David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (Boston: Little, Brown, & Co., 1980), 205-235. For an autobiographical account, see Ben B. Lindsey and Rube Borough, *The Dangerous Life* (New York: Arno Press, 1974 [1931]). For contemporary book-length accounts of juvenile court proceedings, see Peter S. Prescott, *The Child Savers: Juvenile Justice Observed* (1981); and Edward Humes, *No Matter How Loud I Shout: A Year in the Life of the Juvenile Court* (1996).

juvenile court to control their "Americanized" daughters' sexual behavior.[514] At one time in Texas, the typical judgment would have sent the girl off to a juvenile training school for "rehabilitation;" she would have received a brief furlough to a hospital for childbirth and then been returned to the institution. The infant could live with relatives or become a ward of the state. Different priorities governed the outcome of today's case, however. Visibly irritated with the parents, the child, and the attorneys, the judge declared her intention to act "in the interests of the unborn baby." The girl was to be held in juvenile detention until her social worker could find a facility specially designed for teenage girls who are both pregnant and delinquent – a tall order but a classic example of the intended function of the juvenile court as a purveyor of "treatment" tailored to individual needs.

The defendants in Judge Benesch's court room looked much younger than I would have expected; I doubted any of them were older than fifteen or sixteen years old. Their outward expressions varied wildly. A few of them, like the pregnant girl, wore a "cool" exterior that seemed well-cultivated for city streets and high school hallways but may have masked anxiety about being sent to a juvenile lockup facility with larger, tougher, more adult-like kids. Many others looked openly scared, sitting hunched forward with eyes bulging. Some simply stared ahead vacantly, seemingly intent on revealing nothing. Nearly all of them

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[514] Mary E. Odem, *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill, NC: University of North Carolina Press, 1995), 38-62. For other studies of female delinquency, see Barbara M. Brenzel, *Daughters of the State: A Social Portrait of the First Reform School for Girls in North America, 1856-1905* (Cambridge, Mass.: The MIT Press, 1983); Ruth M. Alexander, *The "Girl Problem:" Female Sexual Delinquency in New York, 1900-1930* (Ithaca, NY: Cornell University Press, 1995); and Anne Meis Knupfer, *Reform and Resistance: Gender, Delinquency, and America's First Juvenile Court* (New York: Routledge, 2001).

were black or Latino, and I wondered, as the cases flew by, how it was that no white kids had landed themselves in court that day. The same pattern had emerged when I had toured the county juvenile detention center a couple of weeks earlier: a few white children amidst a sea of black and brown faces, an adult staff clearly concerned for their well-being. Although we Americans take this demography of crime and delinquency as a given today, the nonwhite majority has become so pronounced that it retains the power to stun.

Teenagers of color have come to dominate juvenile justice statistics over the past several years. According to the federal Office of Juvenile Justice and Delinquency Prevention, in 2001 African Americans comprised just 17% of the juvenile population but 43% of all juvenile arrests.[515] This stunning figure, however, tells only part of the story, according to researchers from the National Council on Crime and Delinquency. In a May 2000 study, black juvenile offenders were significantly more likely than whites to be referred to court, detained while awaiting trial, incarcerated in juvenile facilities, and sentenced as adults. Even when blacks and whites committed *identical crimes*, they received different treatment in the system. In drug cases, for example, whites comprised nearly two-thirds of cases but stood only a one in three chance of being waived to adult court. By contrast, black drug offenders made up just over one-third of cases but two-thirds of those tried as adults. These disparities are made all the more striking because the precise number of Latino offenders remains unknown. Crime reporting at the local, state, and national levels continues to count Latinos as

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[515] Howard N. Snyder, "Juvenile Arrests 2001," *OJJDP Juvenile Justice Bulletin* (December 2003) <http://www.ojjdp.ncjrs.org>.

"white," even though the U.S. Census discontinued the practice over two decades ago. Overall, then, African American youth, and to a lesser extent Latinos, today experience a "cumulative disadvantage" that renders American juvenile justice "separate and unequal."[516]

Why do these disparities exist, and how can they take place so routinely? The policy explanation is rather straightforward: Between 1990-1996, forty states passed legislation that expanded the numbers and types of juvenile cases that could be transferred to the adult court, a shift that disproportionately affected young black males from America's inner cities.[517] Numerous white teenagers also find their way into the system, but many do not, and few of them attract the kind of stereotyped attention that black and Latino youth receive in the media.

Other observers point to the reactions to school shootings such as those at Columbine and Jonesboro, contending more broadly that Americans fear young people, regardless of their race or social class. Mike Males, a sociologist at the University of California-Berkeley, even labeled teenagers in the mid-1990s a "scapegoat generation" unfairly blamed for a host of social ills ranging from teen pregnancy to drug use.[518] While this argument may have merit, its lumping together of very distinct sets of young people into a single "generation" fails to

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[516] Eileen Poe-Yamagata and Michael A. Jones, "And Justice for Some" (Buildings Blocks for Youth, April 2000) <http://www.buildingblocksforyouth.org>. On Latino juvenile delinquents, see Francisco Villarruel and Nancy Walker, "Donda Esta La Justicia? A Call to Action on Behalf of Latino and Latina Youth in the U.S. Justice System" (Building Blocks for Youth, July 2002). On the counting of Latinos in the census, see Margo J. Anderson, *The American Census: A Social History* (New Haven: Yale University Press, 1988), 223-229.

[517] M.A. Bortner et al., "Race and Transfer: Empirical Research and Social Context," Jeffrey Fagan and Franklin E. Zimring eds., *The Changing Borders of Juvenile Justice: Transfer of Adolescents to the Criminal Court* (Chicago: University of Chicago Press, 2000), 277-320.

[518] Mike A. Males, *The Scapegoat Generation: America's War on Adolescents* (Monroe, ME: Common Courage Press, 1996).

account for the separate discourses that govern the way we talk and think about two groups: "teenagers" and "delinquents." Where social scientists, psychologists, and psychiatrists once viewed the two categories as parts of a continuum, today they exist in almost parallel worlds.

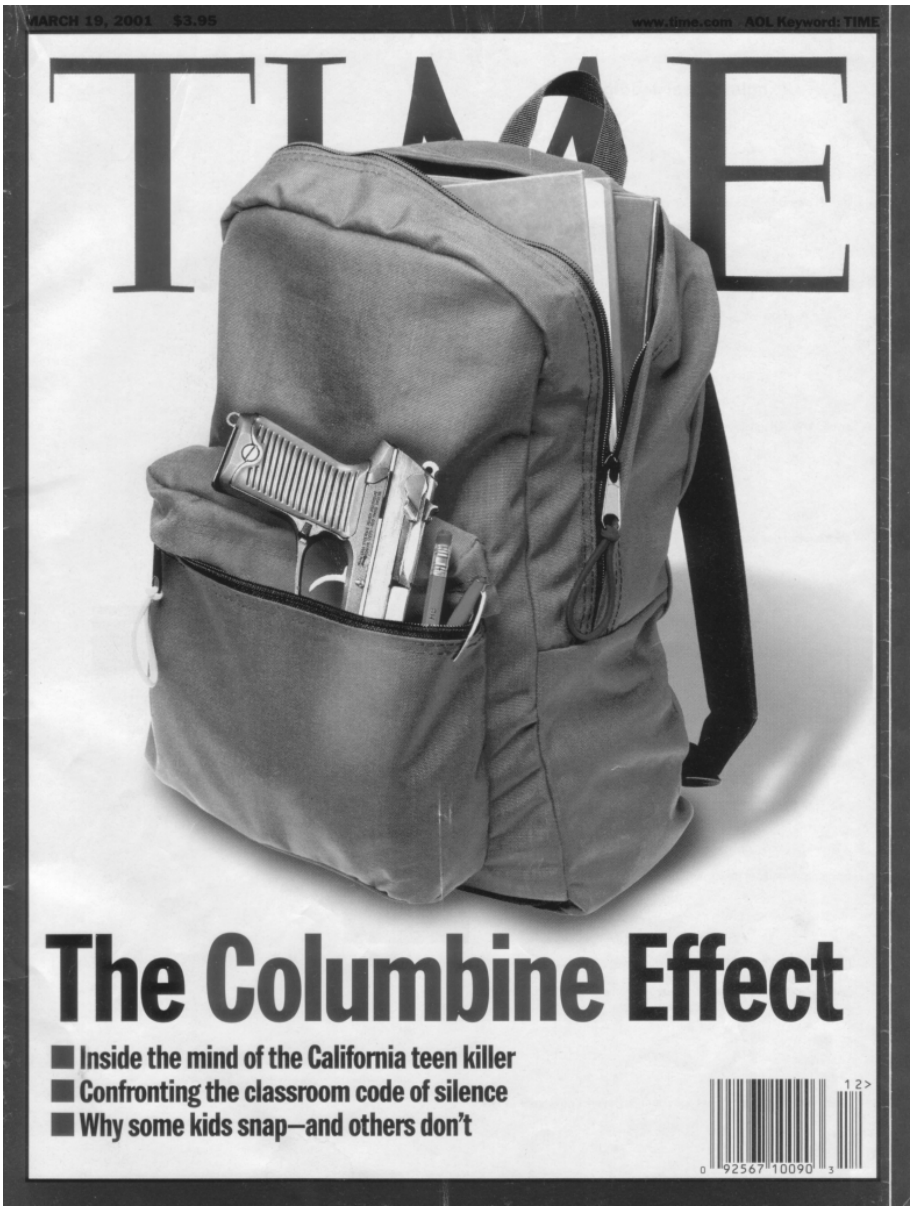
Consider, for instance, the terrible events of April 20, 1999, when two Columbine High School students used automatic weapons to murder twelve of their classmates and one teacher before turning the guns on themselves. *Time* magazine labeled Eric Harris and Dylan Kliebold "the monsters next door" - two teenagers whose deep alienation from their peers lay buried beneath a veneer of middle-class normality. As similar incidents began to surface in other high schools, *Time* focused almost exclusively on "troubled kids" suffering from various forms of depression. Writers also highlighted Harris and Kliebold's tastes in popular culture. They played "Doom," a video game whose graphic violence already seems tame by today's standards, in which players must shoot their way through virtual public spaces. Jim Carroll, the author of *The Basketball Diaries*, and Marilyn Manson, a rock musician, received so much criticism for their alleged influences on Dylan and Kliebold that they felt moved to defend themselves publicly. A few critics worried about the trend toward medicating teenagers at the slightest sign of alienation or depression. "What if Holden Caulfield had been taking Prozac?" wondered one writer. The imagery accompanying such reports is also striking. One cover features a white teenage boy with a crew cut staring into the camera sullenly, alongside the words "How To Spot a Troubled Kid." Another photo displays only a blue backpack (not those

see-through ones required at many inner-city schools) with a handgun sticking out of it, symbolizing innocence lost (see figure 12).[519]

[519] "The Monsters Next Door: A Special Report on the Colorado School Massacre," *Time* 153:17 (May 3, 1999), p.20-54; "How to Spot a Troubled Kid: A Special Report on School Violence," *Time* 153:21 (May 31, 1999), p.44-52; "The Legacy of Columbine," *Time* 157:11 (March 19, 2001), p.32-35.

Figure 12: Cover of *Time* magazine, March 19, 2001.

The reaction to Columbine expressed the fear that violent behaviors thought confined to the "underclass" could surface in well-to-do children.



The images recall the juvenile delinquency scares of the 1950s, when the U.S. Senate had told Americans that "the delinquent may be any child you know, even your own," and movies such as *Rebel Without a Cause* had portrayed troubled teenagers who "came from 'good' families" rather than the expected urban slums. "Thousands of delinquents come from good homes, good neighborhoods, and good families," warned Richard Clenenden, then the executive director of the Senate Subcommittee to Investigate Juvenile Delinquency, which spent much of the 1950s investigating the culture industry for its supposed role in corrupting the minds of American youth.[520] The appearance of these new forms of popular culture could not have been worse, suggested experts, because young minds were more vulnerable than ever before. The suburban home that brought new prosperity, security, and comfort to so many postwar families was thought to also nurture dysfunctional childrearing habits. "Maladjusted" teenagers of the 1950s were thought to be products of "defective" parenting, particularly in mothers, who were thought to have emasculated their sons with "suffocating affection, initiative-smothering guidance, and solicitous overprotection."[521] The specter of "Momism" loomed over a generation of young men whose stifled masculinity supposedly sought outlets in crime and delinquency. How prevalent was this idea? Consider *Rebel Without a Cause*, a hugely popular film credited with helping launch an entire genre of filmmaking –

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[520] Richard Clenenden and Herbert Beaser, "The Shame of America," *Saturday Evening Post* (January 8, 1955), 17-19. On the 1950s' delinquency scare, see James Gilbert, *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950s* (Cambridge: Oxford University Press, 1986).

[521] William C. Menninger, *Psychiatry in a Troubled World: Yesterday's War and Today's Challenge* (New York: The MacMillan Co., 1948), 398.

the "teenpic." James Dean plays Jim Stark, a boy whose parents so closely mirror that era's notions of "Momism" that they seem almost caricatures.

In the twentieth century United States, the "discovery" of adolescence gave birth to two divergent yet related figures. The teenager, "troubled" or otherwise, was a creation largely of sweeping national changes, while the juvenile delinquent remained, until very recently, a sustained subject only for intellectuals, professionals, and the occasional reporter or politician. In Texas, most citizens encountered "actual" juvenile delinquents in the pages of their local newspapers, on the television news broadcasts, or in local chapters of national civic groups. They learned about delinquency from popular culture, which itself often borrowed from scientific theories; experts, in turn, used popular media to disseminate their prescriptions for social action on behalf of troubled youth. Perhaps because of this, professional reformers tended to play to their imagined audiences, painting the reasons for delinquency in terms that flattered or were inoffensive. An honest description of the juvenile delinquent lacked sex appeal, for the day-to-day work with an individual adolescent is often slow, difficult, and unglamorous. Moreover, suggesting that social inequality and unfairness were partly responsible for a young person "going wrong" was courting disaster, particularly in a conservative state such as Texas. As we have seen, mental health experts, settlement house activists, and community program administrators moved gingerly through the political minefield that surrounded their work.

Their basic premises, however, bore fruit in the lawsuit that forever changed the Texas Youth Council. The definition of rehabilitation relied largely

upon the notion of a "healthy" coming of age as a right of American citizenship. The pathway to a "normal" adolescence lay not in incarceration in a "total institution," but rather in a mixture of treatment, education, and recreation in one's home community. Programs for delinquent youth such as the halfway house or the group home borrowed liberally from the experiments of child guidance, settlement house, and "community action" program. How could it have been otherwise? For all of their faults, these "in between" institutions were the only ones to provide a home to representations of the juvenile delinquent that generally countered social stigma, bigotry, and fear.

All programs for at-risk or delinquent youth remain underfunded and, as a result, understaffed. These shortages should be remedied if we are to put any truth to rhetorical promises to "leave no child behind" or create a "village to raise a child." It seems undeniable that one of the reasons for the paucity of resources stems from the population to be served – almost all poor or working-class, mostly brown and black. For all of their prejudices, the reformers of the past generally believed that adolescents deserved special attention, both because they were emotionally different from adults (something we now know with more certainty) and because they were still unfinished products capable of rehabilitation. In the current moment, rehabilitation stands as a privilege at best, and certainly not as a right. We gladly sentence adolescents to adult prison terms or the death penalty, but grouse about the cost of preventing them from ending up there. In the end, our disinterest in disadvantaged adolescents represents nothing less than a collective decision, a silent judgment that we can surely improve upon.

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Vita

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